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No. 2] NEW DELHI, SATURDAY, JANUARY 13, 1979/PAUSA 23, 1900

इस भाग में सिम्ट पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

ELECTION COMMISSION OF INDIA ERRATA

S.O. 55.—In item (b) of the notification of the Election Commission published under S.O. 675(E) in the Extraordinary Gazette of India—Part II—Section 3 —Sub-section (ii) dated 22nd November, 1978, for '0 November, 1978' read '30th November, 1978'.

[No. 100/CS-MT/1/78]

New Delhi, the 21st December, 1978
S.O. 56.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Judgment dated 24th April, 1978 of the High Court of Judicature at Madras in Election Petition No. 3 of 1977.

IN THE HIGH COURT OF JUDICATURE AT MADRAS ORDINARY ORIGINAL CIVIL JURISDICTION

Monday, the 24th day of April 1978
The Honourable Mr. Justice Ramanujam
Election Petition No. 3 of 1977

Balagan, residing at No. 25 Arumuganagar St., Mukkudal, Ambasamudram (TK) Tirunelveli District.
..Petitioner.

Vs

(1) K. T. Kosalram, residing at No. 11, Perumalpuram Tirunelveli-7 Tirunelveli District.

(2) Returning Officer, Tiruchendur Parliamentary Constituency.
.. Respondents.

Election petition praying that this court be pleased to declare the election of the 1st Respondent as a member of the Lok Sabha from the Tiruchendur Parliamentary constituency in the election held on 19-3-1977 as void and to set aside the same and to award the costs of the petition.

This Election petition having been heard on 6-3-78, 9-3-78, 10-3-78, 13-3-78, 15-3-78, 20-3-78, 21-3-78, 22-3-78, 23-3-78, 27-3-78, 29-3-78 and 31-3-78 upon perusing the pleadings filed herein and upon hearing the evidence adduced and upon hearing the arguments of Mr. T. N. C. Srinivasavaradachariar for Mr. G. Muthukrishnan, Advocate for the petitioner herein and Mr. P. Chidambaram, Advocate for the 1st Respondent

herein and the 2nd Respondent having been given up and having stood over for consideration till this day the court delivered the following Judgment :

This is a petition filed by a voter under sections 81 and 100(1) of the Representation of the People Act, 1951, hereinafter referred to as the Act, for a declaration that the election of the first respondent from the Tiruchendur Parliamentary Constituency in the election held on 19-3-1977 is void, and for setting aside the same on the ground that the first respondent has committed various corrupt practices within the meaning of section 123(1), 123(2) and 123(7) of the Act.

In the last general elections to the Lok Sabha nominations were to be filed to the said Constituency before 17-2-1977 and the last date for withdrawal was 21-2-1977. The first respondent was the official candidate of the Congress with cow and calf symbol. The polling took place on 19-3-1977. The first respondent besides 5 others contested the elections and the first respondent was declared elected after counting of votes on 21-3-1977 as he had a margin of 1,20,190 votes over the next candidate belonging to the Congress (O) Party.

The petitioner has alleged in paragraph 5 of his election petition that during the election, the State of Tamil Nadu was under President's rule and virtually controlled by the higher-ups in the Congress party, that declaration of emergency was also in force, that the Congress Party was bent upon winning the elections all over India by any means and, that therefore, it made use of all Government officials in the election work of its candidates for achieving this end. He has further alleged that the first respondent, with a view to further the prospects of his election has committed various corrupt practices during the course of his electioneering campaign detailed in paragraphs 6 to 13 of the election petition.

In paragraph 6 it is stated that the first respondent with a view to further the prospects of his election went round his constituency for electioneering, that at that time the voters of the various villages wanted bus service to their villages, that the first respondent promised to get the bus service provided the villagers assured him that they would vote for him in consideration thereof, that in pursuance of the promise given by the voters the first respondent requested the Collector of the District to sanction certain bus routes and that the Collector without complying with the provisions of the Motor Vehicles Act and the rules thereunder sanctioned certain new bus routes or ordered extension of the existing bus routes solely with a view to further the first respondents election prospects. The new routes said to have been granted are 5 in number and the extension of existing routes ordered are said to be 7 in number. The petitioner says that this will clearly amount to a corrupt practice within the meaning of section 123(1), (2) and (7) of the Act.

In paragraph 7 the petitioner has alleged that the first respondent went round certain villages situate in his constituency and promised to bring protected water supply to the said villages provided in consideration thereof the people promised to vote for him, that the people in the villages promised to vote for him accordingly, that in furtherance of the assurance given by the first respondent to the voters, he approached the Collector who assisted him by giving water supply to some villages and by laying foundation for the water supply schemes in other villages, and that the first respondent also participated in the various functions held at the various villages set out below, and thanked the Collector for having complied with his request and requested the gathering in each village to vote for him in consideration of giving the water supply :

- (1) Laying the foundation stone for protected water supply and laying the foundation stone for an open air theatre at Kuttam Village in Nanguneri taluk on 14-3-1977 by the Collector.
- (2) Opening of protected water supply at Kulasekarapattinam in Tiruchendur taluk by the Collector on 13-3-1977.

(3) Opening of protected water supply at Kalladaikrichi in Ambassamudram taluk on 6-3-1977 by the Governor, and

(4) Laying the foundation stone for protected water supply by Thiru R. V. Subramanian, Adviser to the Governor at Panagudi on 2-3-1977. It is also alleged that the Collector of the District the Adviser to the Governor, as also the Governor spoke on respective occasions wherein they had participated calling upon the voters to vote for the ruling Congress candidate (referring to the first respondent) by putting their mark on the cow and calf symbol.

In paragraph 8 of the election petition it has been alleged by the petitioner that the first respondent came to Vijayanarayanam area in his constituency for his electioneering work and assured the voters in that area that he would get them water supply to the Vijayanarayanam tank for the Kar Crop as a special case provided they assured to vote for him in consideration thereof, that on the assurance being given by the voters the first respondent using his political influence requested the Collector to supply water to the said tank and that the Collector also complied with his request by supplying water to the standing crops without following the relevant standing orders and regulations.

In paragraph 9 it is stated by the petitioner that at Marakkurichi in Nanguneri taluk the voters were en bloc in favour of the Congress (O) candidate that after knowing this the first respondent along with the Collector, the Deputy Superintendent of Police, Nanguneri, the Deputy Inspector of Police, Nanguneri, Karuppiiah Mooppanar, the Tamil Nadu Congress Committee President and S. Chellapadiyan another important leader of the Tamil Nadu Congress Committee went to that village and removed the wall-posters of the Congress (O) candidate and in its place posted the wall-posters of the first respondent throughout the village. It is stated further that the Collector, the District Superintendent of Police and the Deputy Inspector of Police threatened the voters with dire consequence if they vote for the Congress (O) candidate and stated they should vote only for the Congress candidate. According to the petitioner, this amounted to corrupt practice within the meaning of section 123(1), (2) and (7) of the Act.

In paragraph 10 it is alleged that the Collector requested the polling officers to exercise their postal franchise in favour of the first respondent and this amounted to a corrupt practice. But this paragraph has since been deleted on an endorsement made by the petitioner on the election petition.

In paragraph 11 it has been alleged that there was a dispute between the management of the village school at Peyanvilai and a teacher, Nityanandam with reference to an order of dismissal passed against him, that the management of the school was quite unwilling to reinstate Nityanandam even though reinstatement has been ordered by the authorities, that when the first respondent went for electioneering work in the said village, the villagers wanted him to somehow send the teacher out of the school and the village, that the first respondent promised to nullify the reinstatement order provided in consideration thereof the villagers agreed to vote for him and the villagers agreed to that, and that the first respondent later met the Chief Educational Officer and requested him to see that Nityanandam was not reinstated. It is said that in pursuance of the said request the Chief Educational Officer visited the village on 27-2-1977 and told the villagers that they should vote for the first respondent if they want Nityanandam not to be reinstated and also obtained written complaints from the other teachers in the school by coercion and intimidation to make out a case for not reinstating Nityanandam. Thus the action of the first respondent in obtaining the assistance of the Chief Educational Officer to further his prospects in the election is said to be a corrupt practice.

In paragraph 11(A) the petitioner has alleged that the first respondent called for a meeting of the villagers of Peyanvilai and made them take an oath that every voter in the village would vote only for him that no one in the village should serve as a polling agent for the Congress (O) candidates and that if anyone from the village votes or canvasses or acts as polling agent for the Congress (O) candidate he will be socially ostracised. In pursuance of the said decision, one Parthiban who was appointed as a polling agent of the Congress (O) candidate was socially ostracised and ex-communicated.

cated by denying him the services of the village barber and dhoby. This according to the petitioner amounted to undue influence and coercion attracting section 123(2) of the Act.

In paragraph 12 the petitioner has alleged another corrupt practice of incurring an expenditure exceeding the maximum allowed under Rule 90. But this paragraph has since been deleted at the petitioner's request as per the endorsement made on the election petition. In view of the deletion of paragraph 12, paragraph 13 which is consequential to paragraph 12 also stands deleted. Therefore it is unnecessary to deal with the averments in paragraphs 10, 12, and 13 of the petition and the counter averments of the first respondent in relation thereto. The petitioner has also given up the second respondent as an unnecessary party and his name has been struck off from the array of parties, even though he had filed a counter statement.

In the counter statement filed by the first respondent hereinafter referred to as the respondent, he has denied all the allegations or corrupt practices made in the election petition. According to him there were six other candidates who contested the election apart from him and the petitioner's allegation that there were five other candidates apart from him is incorrect and thus showed the utter carelessness and frivolousness with which the petitioner has come forward with this election petition. He has specifically denied the averments made in paragraph 5 of the election petition that since Tamil Nadu was under Presidential rule at the time of the election the entire Governmental machinery was set in motion to help the candidates standing on the Congress (R) ticket with cow and calf symbol. As regards the allegation in paragraph 6 the respondent has denied that he ever visited the villages mentioned therein, and that representations were made to him by the villagers for arranging for the sanction of new bus routes or extension of existing bus routes to their villages in consideration of their promising to vote for him. He had stated that he is not aware of the provision of new bus service or extension of the existing services to those villages, that on one of the days during the election campaign he went round Tiruchendur Town in connection with election work, that at that time he found a town bus being inaugurated by the Collector at the bus stand, but that he did not travel in the bus to the various villages as alleged by the petitioner. He clearly states that he has nothing to do with the introduction of a new town bus by the Kattabomman Transport Corporation on the route Tiruchendur to Manapad, and that he never promised the voters in the villages on the route that he would provide bus service in consideration of their voting for him at the elections. On the question of the alleged extension of the bus routes also, the respondent has denied any knowledge of the same and has stated he never assured the villagers to get extension of the bus routes enumerated in paragraph 6 and that he has no knowledge of the extension of any of the bus routes actually granted by the Collector. The respondent has further stated that he being in public life since 1935 it is usual for the villagers during his visits to present petitions requesting him to help them to secure their legitimate demands for better amenities like water, road, school, hospital, bus service etc., that he followed the practice of requesting his Secretary to forward the villagers' petitions to the departments concerned for necessary action, that in the same way when he went round Tiruchendur Parliamentary constituency in February-March, 1977 he was given a large number of petitions and he directed his Secretary to forward those petitions to the concerned officials. Apart from this purely formal and routine forwarding of petitions received from the villagers, he did not indulge in any act or do anything which would amount to a corrupt practice.

As regards the averments in paragraph 7 of the election petition, the respondent has denied in paragraph 11 of his counter statement the four instances of corrupt practices set out therein. He denies specifically that while going round his Constituency he promised the voters in the said four villages that he would bring protected water supply to the four villages as a consideration of their voting for him at the elections. He has also specifically denied that he sought and obtained the assistance of the Collector in furtherance of his election prospects by getting water supply schemes sanctioned for those villages and for arranging the inaugural functions in those villages. As regards the instance referred to in paragraph 7(1) in paragraph 12 of the counter statement, the respondent has stated that protected water supply scheme was implemented in Kutam village in Nanguneri Taluk by the Tamil Nadu water & Drainage Board, hereinafter referred

to the TWAD, that he had no knowledge of the laying of the foundation stone for the said purpose by the Collector or the laying of the foundation stone for an open air theatre by the Collector. The respondent has denied his participation in the function of laying the foundation stone for protected water supply scheme in Kutlam village and states that he never attended the function.

In paragraph 13 of the counter statement the respondent denies the averments made in paragraph 7(2) of the petition. He has denied his presence on 13-3-1977 when protected water supply scheme was being implemented at Kulasenarapattinam in Tiruchendur taluk by the TWAD. He says that he had no knowledge about the opening of the protected water supply scheme in that village by the Collector. He also denies that he had anything to do with the sanction of the scheme or the implementation thereof.

As regards the allegations contained in paragraph 7(3) of the election petition, the respondent admits that the protected water supply scheme was executed by the TWAD but denies that the said function was at his instance or for the sole purpose of furthering his election prospects. He admits that the Governor of Tamil Nadu participated in the function and that he was present only among the audience. He also denies that the Governor in his speech praised the activities of the then Prime Minister's regime and of the necessity to strengthen her hands and called upon the people to vote for the cow and calf symbol. He also denies that the Collector ever told the gathering to strengthen the hands of the then Prime Minister by voting for the cow and calf symbol as alleged in the election petition. He would also deny that he spoke at the function and thanked the Governor or the Collector for having complied with his request and requested the voters to vote for him.

As regards the averments in sub-paragraph (4) in paragraph 7, the respondent states that on one day while he was driving from Valliyur to Kanyakumari he saw a gathering at Panagudi and on enquiry he found that R. V. Subramanian, the then Adviser to the Governor had come to the village in connection with an official function and therefore he was present among the audience for some time while R. V. Subramanian spoke for a few minutes. He however denied that at his request, R. V. Subramanian advised the voters to vote for the cow and calf symbol in order to strengthen the hands of the then Prime Minister and that he thanked the Adviser for requesting the gathering to vote for him.

As regards the averments in paragraph 8 of the election petition the case of the respondent in paragraph 16 of the counter statement is that he never visited Vijayanarayanam and assured the voters in that area that he would get water supply to their tank for the Kar crop provided they vote for him in the elections. He denies that by using his political influence he requested the Collector to supply water to the Vijayanarayanam tank to further his election prospects, and that the Collector did so in accordance with his request. According to the first respondent he did not know whether water was supplied to the Vijayanarayanam tank at all for the Kar crop. Even if water has been supplied to the Vijayanarayanam tank it would have been done by the Collector in a routine manner in the course of his official duties and that he has nothing to do with the supply of water to the tank by the Collector or other officials.

With regard to the allegations made in paragraph 9 of the election petition, the first respondent in paragraph 18 of his counter statement denies that the voters in Marakalkurichi village in Nanguneri taluk were en bloc in favour of the Congress (O) candidate, and states that Marakalkurichi is always a strong centre for the Congress, that he never requested the Collector to help him, and that he has no knowledge about the alleged incidents that took place on 16-3-1977. He would however say that on enquiry he found that neither the Collector nor Karupplah Moopanar nor Chellapandiyan was present on 16-3-1977 in Marakalkurichi village, that they never threatened the voters and that the posters of Congress (O) were not removed and the posters of the respondent were pasted instead at their instance. He also denies that the District Superintendent of Police and the Deputy Inspector of Police threatened the voters with dire consequences if they vote for the Congress (O) candidate.

As regards the allegation in paragraph 11 the respondent states that over a year before the election he learnt that there was some dispute between the management of the school at

peyanvilai and a teacher of that school, and that there were various court proceedings regarding that dispute. Apart from this general knowledge he had no specific knowledge about the details of the dispute, and he did not visit Peyanvilai village during the election. Therefore it is totally false to say that he went for electioneering work in Peyanvilai and during the course of the electioneering campaign he promised the voters that he would see that the teacher is not reinstated in the school provided the voters in the village promised to vote for him in consideration thereof. He also denies that he ever met the Chief Educational Officer of the District and requested him to see that the teacher is not reinstated with a view to further his prospects in the elections. He states that he did not know whether the Chief Educational Officer visited the village on 27-2-1977 as alleged in the petition, and whether he told the villagers that if they vote for the first respondent he would see that the teacher is not reinstated. He further states that the visit of the Chief Educational Officer to the village is not at his instance at all.

With reference to the allegation in paragraph 11(A) of the election petition, the respondent in paragraph 21 of his counter statement states that he did not visit Peyanvilai village during his entire election campaign, that it is totally false to say that he gathered the inhabitants of Peyanvilai at a meeting and made them to take an oath or pass a resolution that all the villagers should vote for him alone that no one should act as a polling agent for the Congress (O) and that anyone acting as polling agent for the Congress (O) in the village will be socially ostracised. He also states that he did not know whether a person by name Parthiban was appointed as the polling agent of the Congress (O) candidate or whether he was socially ostracised or ex-communicated for serving as a polling agent contrary to the declaration made by the villagers. He further states that he learns on enquiry that there was no gathering of the villagers wherein they were made to take an oath that every voters in the village should vote for the first respondent and that Parthiban was socially ostracised for acting contrary to the said oath.

The respondent has also averred in paragraph 34 of his counter statement that the allegations of corrupt practice made in paragraphs 6 to 13 of the election petition are said to be based on information of the petitioner and that if so the petitioner is bound to disclose the source of information and the failure to do so is a fatal defect in the election petition. Thus the first respondent's case is that there is no single instance of corrupt practice and that the allegations of corrupt practice made in the election petition are not true and that the election petition is motivated by political rivalry between him and the election petitioner. He has therefore prayed for the election petition to be dismissed with costs.

On the above pleadings the following issues were framed by N. S. Ramaswami, J. on 12-12-1977.

- (1) Whether the first respondent induced the voters to vote for him on the promise or providing new bus routes and extension of bus routes and to fulfil that promise obtained and procured from the Government and its servants assistance for the furtherance of the prospects of his election as alleged in para 6 of the petition.
- (2) Whether the first respondent induced the voters to vote for him on the promise of providing protected water supply and to fulfil that promise obtained and procured from the Government and its servants, assistance for the furtherance of the prospects of his elections as alleged in para 7 of the petition?
- (3) Whether the first respondent influenced the Collector to supply water to Vijayanarayanam tank for the Kar season for the sole purpose of furthering his election prospects as alleged in para 8?
- (4) Whether the first respondent secured the assistance of Government officials to further his election prospects as alleged in paras 9, 10 and 11 and whether the first respondent is guilty of undue influence in interfering with the free exercise of electoral right as alleged in para 11?
- (5) Did the first respondent incur election expenses as alleged in para 12 of the petition and whether he has exceeded the permissible limit of election expenses?

(6) Is the election petition or any allegations contained therein liable to be struck down on the ground of want of cause of action, vagueness or non-compliance with any of the provisions of section 83?

(7) Is the election of the first respondent liable to be set aside for all or any of the above said reasons.

Subsequent to the framing of the said issues, the respondent filed a petition for striking off paragraphs 4 and 6 to 13 of the election petition on the ground that the material particulars leading to the alleged corrupt practices set out in those paragraphs have not been given in the election petition. It is only after the filing of the said petition, the petitioner requested the Court to delete paragraphs 10, 12, and 13 by making an endorsement on the petition and undertook to give the necessary particulars in relation to the other paragraphs by 8-3-1978. Subsequently the petitioner filed what is styled as "statement of particulars" on 9-3-1978 just after the commencement of the trial on 6-3-1978. In the said statement of particulars the election petitioner has not only purported to give the particulars but has also attempted to expand the case put forward in the election petition by giving fresh instance of corrupt practice or fresh materials which have nothing to do with the instances of corrupt practices already alleged in the election petition. As regard paragraph 7 of the election petition the particulars given are these:

"In the first week of March, the 1st respondent visited Kuttam village for election canvassing. He met the villagers near Anandavalli Ammal temple at about 7 or 7.30 p.m. In the gathering, Anandan, Kumaraswami, Raja, Subramanian and others were present. The people represented to him and requested him to get them water supply. The first respondent assured them to get them water supply provided they vote for him in consideration. The people in the village promised to vote for him in consideration of his bringing protected water supply to the village."

As regards paragraph 8 the particulars given are that the first respondent visited the village of Vijayanarayanam on or about 1st March, 1977 at about 8 or 8.30 a.m. and addressed the gathering near Kulatusami Ghandi, that at that gathering the people of the village represented to the respondent to arrange for the release of water from Manimuthar Dam to Vijayanarayanam tank for Kar crop which he agreed that after two or three days the respondent, the Collector and the Engineers of the Manimutharu Dam visited at about 8.00 or 8.30 a.m. that at that time the Collector, at the request of the respondent, assured the villagers that he would arrange for release of water from Manimutharu Dam to Vijayanarayanam tank next day itself and requested the gathering to vote for cow and calf symbol, that thereafter the respondent spoke thanking the Collector and the Engineers of Manimutharu Dam for complying with his request and requesting the gathering to vote for him in return and that water was accordingly released from Manimutharu Dam to the Vijayanarayanam tank the next day itself.

As regards paragraph 9 of the petition, the statement of particulars says as follows:—The respondent accompanied the Collector, D.S.P. and others during their visit to the village on 16-3-1977, that the Collector supervised the removal of Congress (O) posters and pasting of the respondent's election posters in their place. The Collector held out a threat to the people of the Village that if they did not vote for the Indira Congress, he would set fire to the entire village. On the next morning the Deputy Inspector of Police visited the village and took some persons belonging to the Congress (O) to the police station and warned them not to work for the Congress (O). It is stated on behalf of the respondent that though in paragraph 9 of the election petition there is no reference to his being present in the village on 16-3-1977 along with the Collector, D.S.P. and others, a new case is put forward in the statement of particulars that he was present along with others and that everything done on 16-3-1977 in the village was at his instance, that the particulars given regarding the averments in paragraph 9 of the election petition go further than the election petition, that the election petitioner cannot be permitted to improve his case set out in the election petition by giving new and fresh materials which will constitute an independent instance of corrupt practice.

At the trial the petitioner examined 18 witnesses, P.Ws. 1 to 18 and marked 10 documents Exhibits P. 1 to P. 10. The respondent, besides examining himself as R.W. 13, has examined 12 other witnesses, R.Ws. 1 to 12 and marked 26 documents, Exhibits R. 1 to R. 26. The evidence adduced by the petitioner related to the six instances of corrupt practices which have been set out in paragraphs 6, 7, 8, 9, 11 and 11(A). Though the petitioner has alleged in paragraph 6 the grant of five new bus routes and 7 instances of extension of the existing bus routes by the Regional Transport Authority at the instance of the respondent to further the latter's election prospects without following the statutory procedure, the evidence let in by him was confined to the grant of only one bus route set out as item 5 of paragraph 6 that is Tiruchendur to Manapad touching Sirunadarkuderuppu, viz. Dalaveipuram, Kayamozhi, Paramankurichi, Thaikkavoor, Udangudi, Kulasekarapattinam and Sirunadarkuderuppu. Since no evidence was let in by the petitioner in relation to the grant of new permits on the other four routes and the grant of extension of the existing seven routes set out in paragraph 6, it is not necessary to consider those instances. As the evidence has been confined to item 5 alone which relates to the sanction of a new bus route from Tiruchendur to Manapad as set out above, I propose to deal with only item No. 5 of paragraph 6.

Before dealing with the issues in controversy it is necessary to refer to a few provisions of the Representation of the People Act dealing with corrupt practices and the decisions dealing with the scope of those provisions. Section 2(c) defines "corrupt practice" as any of the practices specified in section 123. Section 123 sets out the following as corrupt practices for the purpose of the Act.

- (1) Bribery, that is to say,—(A) any gift, offer or promise by a candidate or his agent or by any other person with the consent of a candidate or his election agent of any gratification, to any person whomsoever, with the object, directly or indirectly of inducing
 - (a) a person to stand or not to stand as, or to withdraw or not to withdraw from being a candidate at an election, or
 - (b) an elector to vote or refrain from voting at an election, or as a reward to—
 - (i) a person for having so stood or not stood, or for having withdrawn or not having withdrawn his candidature; or
 - (ii) an elector for having voted or refrained from voting;
- (B) the receipt, of, or agreement to receive, any gratification, whether as a motive or a reward,
 - (a) by a person for standing or not standing as, or for withdrawing or not withdrawing from being a candidate; or
 - (b) by any person whomsoever for himself or any other person for voting or refraining from voting or inducing or attempting to induce any elector to vote or refrain from voting or any candidate to withdraw or not withdraw his candidature.

Explanation : For the purpose, of this clause the term 'gratification' is not restricted to pecuniary gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward but it does not include the Payment of any expenses bona fide incurred at, or for the purpose of, any election any duly entered in the account of election expenses referred to in section 78.

- (2) Undue influence, that is to say any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person (with the consent of the candidate or his election agent) with the free exercise of any electoral right :
 - (a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—
 - (i) threatens any candidate or any elector, or any person in whom a candidate or an elector is

interested, with injury of any kind including social ostracism and ex-communication or expulsion from any caste or community; or

- (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure,

shall be deemed to interfere with the free exercise of the electoral right of such candidate, or elector within the meaning of this clause.....

- (3)
- (4)
- (5)
- (6)
- (7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent or, by any other person (with the consent of a candidate or his election agent), any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election, from any person in the service of the Government and belonging to any of the following classes, namely :—
 - (a) gazetted officers;
 - (b) stipendiary judges and magistrates;
 - (c) members of the armed forces of the Union;
 - (d) members of the police forces;
 - (e) excise officers;
 - (f) revenue officers other than village revenue officers known as lambardars, malguzars, patels, deshmukhs or by any other name, whose duty is to collect land revenue and who are remunerated by a share of, or commission on, the amount of land revenue collected by them but who do not discharge any police functions; and
 - (g) such other class of persons in the service of the Government as may be prescribed;

Provided that where any person, in the service of the Government and belonging to any of the classes aforesaid, in the discharge of purported discharge of his official duty, makes any arrangements or provides any facilities or does any other act or thing, for or in relation to, any candidate or his agent or any other person acting with the consent of the candidate or his election agent (whether by reason of the office held by the candidate or for any other reason), such arrangements, facilities or act or thing shall not be deemed to be assistance for the furtherance of the prospects of that candidate's election."

In this case, the petitioner's case is that the respondent has offered gratifications by way of providing bus facilities, drinking water supply facility, water for irrigation and the cancellation of the reinstatement order of a teacher with the object of inducing the villagers to vote for him, which will be a corrupt practice under section 123(1) (A) (B). It is also the petitioner's case that the respondent has by undue influence and coercion indirectly attempted to interfere with the free exercise of the electoral right of the villagers by threatening the voters that if they do not vote for the respondent they will be ex-communicated or ostracized from the community which will be a corrupt practice under section 123(2). It is also the petitioner's case that the respondent has obtained or procured the assistance from officials and persons in the service of the Government such as the Governor, the Adviser to the Governor, the Collector, Police Officers and the Chief Educational Officer, for the furtherance of his election prospects and that will be clearly a corrupt practice coming under section 123(7).

A close look at section 123(1) clearly suggests that the gratification to become a corrupt practice must have proceeded from the respondent. That means a nexus has to be established between the respondent and the gift or gratification. This is clear from the decision of the Supreme Court in Mohan Singh v. Bhanwarlal (1964) S.C. 1366. In that case

dealing with the scope of the word "gratification" the Supreme Court held that gratification does not include officers and acceptances of mere promises, but requires an offer not acceptance relating to a thing of some value, though not necessarily estimable in terms of money, that a mere offer to help in getting employment is not such offer of gratification within the meaning of section 123(1)(B) as to constitute it a corrupt practice, that the onus of establishing a corrupt practice is undoubtedly on the person who sets it up, that the said onus is not discharged on proof of mere preponderance of probability, as in the trial of a civil suit; that the corrupt practice must be established beyond reasonable doubt by evidence which is clear and unambiguous. In *Chasi Ram v. Dal Singh* (A.K.R. 1968 S.C. 1191) the Supreme Court pointed out that a corrupt practice involving bribery must be fully established, that the evidence must clearly show that the promise or gift directly or indirectly was made to an elector to vote or refrain from voting at an election, and that the proof required to establish a corrupt practice must be almost of the character required to establish a criminal charge. In that case the election petitioner challenged the election of a person who was a Minister for Irrigation and power till the result of the election, was declared on the ground of certain corrupt practices. The charge was that he used his position to favour some villages with a view to secure support for his candidature. It was found on evidence that certain sum of money had been placed at the disposal of the Ministers for distribution as discretionary grants and that money was required to be spent in three months' time. The grant of discretionary grants were part of the general scheme to better community development projects and to remove the immediate grievances of the public. There was also evidence to prove that the Minister had promised certain discretionary grants to Gram Panchayats and public at large for community development in his own constituency and had actually distributed the money not among the voters directly but to the panchayats concerned. There was no evidence to prove that the Minister bargained directly or indirectly for votes by making such grants. On these facts the Supreme Court held that in the circumstances of the case, the acts of the Minister did not amount to corrupt practice.

In *Bachan Singh v. Prithvi Singh*, (A.I.R. 1975 S.C. 926) the scope of section 123(2) dealing with undue influence came up for consideration. The Supreme Court expressed the view that the definition of 'undue influence' in section 123(2) is couched in very wide terms, that on first blush it seems to cover every conceivable act which directly or indirectly interferes or attempts to interfere with the free exercise of electoral right, but such a wide construction would not be in consonance with the intentment of the legislature as is discernible from the proviso to that clause, that the proviso illustrate that ordinarily interference with the free exercise of electoral right involves either violence or threat of injury of any kind to any candidate or an elector, or inducement or attempt to induce a candidate or elector to believe that he will become an object of divine displeasure or spiritual censure, that the prefix 'undue' indicates that there must be some abuse of influence and that 'undue influence' is used in contradistinction to 'proper influence'. According to the Supreme Court section 123(2) does not bar or penalise legitimate canvassing or appeals to reason and judgment of the voters or other lawful means of persuading voters to vote or not to vote for a candidate and that indeed such proper and peaceful persuasion is the motive force of our democratic process.

In *S. Iqbal Singh v. S. Gurdas Singh* (A.I.R. 1976 S.C. 27) the election to the parliamentary Constituency was challenged inter alia on the ground that a corrupt practice of bribery was committed in the interest of the first respondent, the successful candidate, by his brother who was at the time of the election the Chief Minister of Punjab. One of the items of bribery alleged was that large sums of money were distributed to Harijans for the construction of Dharmashalas for the purpose of inducing them to vote for the Chief Minister's brother. The second allegation was that the Chief Minister had directed one of the Assistant Returning Officer to issue 3304 gun licences for furthering the election prospects of his brother and this was a gratification for inducing the voters to vote for his brother. One other allegation was that the Chief Minister had arranged and addressed a number of meetings in various villages promising to help the voters therein who vote for his brother. On the question of corrupt practice it was found that the Punjab Government had set apart a sum of Rs. 50 lakhs for construction of Dharmashalas for Harijans, that out of this a sum of

Rs. 3 lakhs was spent by the end of 1971 in the District in which the particular Parliamentary constituency is situate, that having regard to the number of districts in Punjab the amounts spent on the particular district was not disproportionately large, and that the end of the financial year by which time the amount has to be spent coincided with the date of election. On these facts the Supreme Court held that "the election time is the time when people in power as well as ordinary politicians are active in trying to show that they are out to help the people. They address meetings and hold out all sorts of promises. Where a large section of the people are concerned, who only get an amenity which they ought in any case to get and which they get probably a little more easily because it happens to be election time, it cannot be said that the person in authority making that promise and holding out that he would carry out many remedial measures to benefit the people was resorting to bribery or bargaining for votes. It may not amount to setting up a very high standard and it may be very desirable that that whatever is done for the people should be done by persons in authority throughout the period of their office. But they naturally are more active at election time than other times. That cannot be said to amount to corruption." Dealing with the question or issue of gun licences the Supreme Court expressed the view that there is no evidence of bargaining for votes by promise of gun licences, that a bargain for the purpose of section 123(1) does not mean that the candidate or his agent makes an offer and the voter accepts it in the sense that he promise to vote, and that it is enough if the candidate or his agent makes the gift or promise on that condition, and that therefore the issue of gun licences cannot be treated as bribery and as such a corrupt practice. In that case the law regarding bribery in elections in our country has been traced and discussed in detail, if I may say so with respect, and reference has been made to the following cases. In *Maganlal Bagdi v. Hari Vishnu Kamath* (15 E.L.R. 205) the candidate offered to construct a well in a village if the voters voted for him and not for the rival candidate and money was actually deposited for this purpose and was to wait the result of the election. It was held that there was a clear bargain for votes, and therefore it was a clear corrupt practice. In *Bhadar Sheriff v. Munuswami Gounder* (A.I.R. 1955 S.C. 775) it was held that it may be meritorious to take a donation for a charitable purpose but on the eve of an election such a gift may be open to construction that it was made with the intention of buying votes. In *Ghasi Ram v. Dal Singh* (A.I.R. 1964 S.C. 1191) it was held that the gift must be proved to have a direct or indirect connection with votes and this must admit of no other reasonable excuse. In *Radha Krishan Sukla v. Tara Chand Maheshwari* (12 E.L.R. 378) general promises by ministers to redress certain public grievances or to erect certain public amenities like hospitals, if elected, were held not to amount to corrupt practice and they were treated as promises of general public action. In *Amirchand v. Surendra Lal Jha* (10 E.L.R. 57) it was laid down that if a minister redresses the grievances of a class of the public or people of a locality or renders them any help, on the eve of an election, it was not corrupt practice unless he had obtained promises from the voters in return, as a condition for their help. In *Om Prabha Jain v. Abnash Chand* (A.I.R. 1968 S.C. 1083) it was held that the action of the minister in providing dharmashalas for Harijans could not be construed against her as it was done in the ordinary course of her duties as a minister and there was no evidence that it was, directly or indirectly, part of a bargain with the voters. In *Bhanu Kumar v. Mohan Lal* (1971) 3 SCR 522 it was alleged that the Chief Minister by ordering the covering of a nallah, the construction of a road, the installation of water taps and the grant of pattas to the inhabitants of a colony for construction of houses, had made a bargain with the people for votes and thus committed corrupt practice as defined in section 123(1) of the Act. The Court pointed out that ordinarily amelioration of grievances of the public is innocuous and cannot be construed against a candidate who is a minister, but that if there is evidence to indicate that any candidate at the election abused his power and position as a minister in the Government by utilising public revenues for conferring advantage or benefit on a particular group of people for the purpose of obtaining their votes, different consideration will arise and it may be held to be a corrupt practice within the meaning of section 123(1). It was found in that case that all the instances relied upon by the election petitioner were long standing public grievances, that the Government had from time to time made suggestions and recommendations for redressing the grievances and amelioration of the condition of the people and that it could not

be said that on the eve of election there was any sudden or spontaneous outburst of public activity in the shape of diverting money to win electors to the side of the Chief Minister by throwing baits or giving them specially favoured treatment. In *M. Narayana Rao v. G. Venkata Reddy* (A.I.R. 1977 S.C. 208) the Supreme Court had laid down the following principles to be kept in view by the Courts in regard to commission of corrupt practices :

- (1) That the change of commission of corrupt practice has to be proved and established beyond doubt like a criminal charge or a quasi-criminal charge but not exactly in the manner of establishment of the guilt in a criminal prosecution giving the liberty to the accused to keep mum. The charge has to be proved on appraisal of the evidence adduced do both sides especially by the election petitioner.
- (2) That the election held and results declared on the choice of the voters should not be lightly interfered with or set aside by a Court of law. After all, in the holding of a fresh election are involved numerous botherations, tremendous expenses, loss of public time and money and uncertainty of the public representation from a particular constituency.
- (3) A charge of corrupt practice is easy to level but difficult to prove. If it is sought to be proved only or mainly by oral evidence without there being contemporaneous documents to support it, court should be very careful in scrutinizing the oral evidence and should not lightly accept it unless the evidence is credible, trustworthy, natural and showing beyond doubt the commission of corrupt practice, as alleged.
- (4) That, the Supreme Court ordinarily and generally does not, as it ought not to, interfere with the finding of fact recorded by the High Court unless there are compelling reasons for the same, especially findings recorded on appreciation of oral evidence.
- (5) The Supreme Court, however, does not approve of the finding recorded by the High Court on a misreading or wrong appreciation of the oral evidence especially when it is unsupported or runs counter to the contemporaneous documentary evidence.
- (6) It must always be borne in mind that the consequences of setting aside of an election on the ground of corrupt practice are very serious for the candidate concerned as well as others involved in it. A court, therefore, should reach its conclusion with care and caution taking into consideration the board probabilities, the natural conduct of the persons involved and the special situation in which a corrupt practice is alleged to have been committed."

In the light of the principles laid down in the above decisions, I shall now proceed to analyse the evidence, both oral and documentary, adduced in the case by the parties with reference to each of the issues framed in the case.

Issue 1 : Item No. 5 in paragraph 6 contains a charge of corrupt practice against the respondent of promise of gratification in the form of providing bus service which was a long felt need in the villages set out therein. The evidence relating to this charge consists of the oral evidence of P.Ws. 1 to 6, R.Ws. 1 to 8, 10 and 13 and the documents Exhibits R-1 to R-3, R-4, R-10, R-16 to R-20 and R. 26 and R-26(a).

P.W. 1 is one Rasuvelu, a resident of Vadakkukalankudiyiruppu village which lies within the limits of Udangudi town Panchayat. He had deposed that on or about 24th or 25th of February, 1977 at about 7.30 P.M. the respondent and one Vetrivel, President of the Udangudi Panchayat Union and Raj Victoria, Prominent members of the Indira Congress came to his village, stayed in the village school and sent for the prominent people of the village, that he along with his neighbour Vadappu Nadar went to the village school, that at that time the respondent told the gathering which consisted of prominent people like Pal Nadar, Nainar Nadar and several others that he is contesting the elections and that therefore all of them should help him by voting for him. At that time Pal Nadar represented to the respondent that there was no

bus to their village, that previously one Sriram Popular Bus company was running a bus but it has been stopped that they are suffering for want of a bus service to their village, and that if he made arrangements to give them a bus service they will vote for him. According to him the respondent replied that "if you promise to vote for me, I can get the bus service to your village." The respondent is also said to have stated "we are the ruling party. I am also in the ruling party. I know all the officers. I am definite that I can bring the bus service to your village." Then the people gathered there said that if the respondent brings the bus service to their village they will vote for him. P.W. 1 then states that on 5th or 6th of March, 1977 when he was in the Udangudi bazaar he saw a new bus of the Kattabomman Transport Corporation coming decorated with flowers and plantain trees and smeared with sandal paste on route No. 5, that the bus went inside the bus stand, that he saw the Collector one Mr. Sundaram, the respondent, Vetrivel and Raj Victoria getting down and assembling in front of the bus, and that at that time the respondent told the people should vote for him in the election. This witness has admitted even in the Chief examination that he is the President of the Janatha Party in Udangudi Panchayat Union limits and before that he was a member of the Congress (O) party, and that he worked for his Party candidate one Devadoss, at the election. In cross-examination he says that he does not know when the bus service was first introduced in the village. To a specific suggestion that there was a bus service to the village for the last 30 or 40 years, he says that he cannot deny the same. He has stated that the bus belonging to Sriram Popular Service was stopped three or four months before March, 1977 and therefore the villagers represented to the respondent for providing bus facilities. To another specific question in cross-examination this witness denies that Sriram Popular Service was running its buses till the town bus was introduced. P.W. 1 has also deposed that he knows the election petitioner as a trade union leader and as a native of Makkudal, that he used to visit Udangudi frequently, that he told the election petitioner after the elections that the respondent has been canvassing votes with the help of the officers and that he must do something in the matter. On this the election petitioner said that he will be filing a petition questioning the election of the respondent and that P.W. 1 has to give evidence if need be. He has however admitted that he did not complain about the alleged attempt of the respondent seeking the help of the Collector and others to canvass votes for him to the Central Government. Thus what in substance P.W. 1 has stated is that he belongs to the Janatha Party, that he was working for the Janatha Party candidate, that he saw the respondent promising gratification in the form of providing bus service to the village in consideration of the villagers voting for him, that in pursuance of the promise made on 24th or 25th of February, 1977 the respondent brought the bus service on 5th or 6th March, 1977, that he approached the election petitioner to bring to book the respondent for taking the officials' help to further his election prospects and that he volunteered to give evidence if necessary.

P.W. 2, Chellakanni Nadar a resident of Udangudi has deposed that about 23rd or 24th of February 1977 at 8 P.M. while he was standing opposite the Panchayat Office of Udangudi as usual the respondent came there and told the people in front of the panchayat office that he is contesting in the election to the Lok Sabha with cow and calf symbol and requested all of them to vote for him in the election. He was accompanied by Vetrivelu Nadar, A. T. Kasi and Raj Victoria, all belonging to the Congress Party. The villagers assembled there told the respondent that there was a bus run by Sriram Popular Service which was stopped and requested the respondent to arrange for a bus connecting their village. Then the respondent told the gathering that he will bring the bus service to their village within 10 days if they all promised to vote for him. Subsequently on 6-3-1977 while he was talking to P.W. 1 in front of the panchayat office at about 9 or 9.30 A.M. he saw a new bus decorated with plantain trees and flowers and smeared with sandal paste coming and saw the Collector and some others inside the bus. He proceeds to state that the respondent, after getting down from the bus stood in front of the bus and addressed

the gathering stating that "as promised I have brought the bus to your village. Therefore you all should vote for me. If any other help should be done by me, I will do it with the help of the Collector who is standing on the right side". In cross-examination however, he admits that there are three companies plying their buses touching their village and they are Motor Union Service, Bhagavati Service and Sriram Popular Service for the last five years. To a suggestion that in addition to the said service one Bevin Transport service is also running a bus touching Udangudi, he denied any knowledge about it. To a specific question from the Court whether there was bus connection between Tiruchendur and Udangudi at the relevant time this witness stated that there was no private bus plying between Tiruchendur and Udangudi at that time but there was a Government transport bus. He also says that he did not know the petitioner personally, that he came to know about the filing of the election petition through newspapers, that two or three months back from now the election petitioner came and told him that the respondent had utilised the services of the Collector and other Government officials in bringing the bus service and therefore 'I must come and give evidence in the election case,' and that he agreed. He would however add that when he learned that the election petitioner has come to Udangudi three or four months back from today, he went and told him about the bus service coming to his village at the instance of the respondent and that the petitioner asked him whether he would depose in his favour and he agreed to come and give evidence. To a suggestion in cross-examination that the people were clamouring for a town bus service for a long time, he specifically says that the people were not particular about the town bus service but they wanted a substitute bus service connecting the village in the place of the bus which has been stopped by Sri Ram Popular Service.

P.W. 3 who is an agriculturist owning lands in the village of Paramakurichi has deposed that in the last of February, 1977 on one day at about 5 or 5.30 P.M. the respondent along Raj Victoria, Vetrivel and two or three others visited the village and that the villagers represented to him that the only bus service belonging to Sriram Popular Service has been stopped, that therefore they want a substitute bus service to their village and that if a substitute bus is brought, they will vote for him. The respondent said that as he knows the Collector and the Governor he could do anything, and that if he brings the bus the villagers should vote for him on condition of his bringing a substitute bus, the respondent promised that he would certainly bring the bus to the village. He further deposes that on 6-3-1977 at about 8.30, A.M. when he was coming to the market after cutting plantains in his garden, he saw a new bus decorated with plantain trees and flowers and sandalwood paste coming and stopping at the bus stand, that the Collector, the respondent, Vetrivel and Raj Victoria and others got down from the bus, that the respondent told the crowd that had gathered there "as promised by me, I have brought the bus to you. Therefore as promised all of you should vote for me." and at that time the Manager of the Kattabomman Transport Corporation, Mr. Srinivasan was also present. In cross examination this witness says that he knows P.W. 1 Rasavelu as a leader of the Janatha party, that he used to visit P.W. 1 in his place at Udangudi and that on one occasion he saw Rasavelu and the petitioner here in talking at Udangudi bazaar, that he did not talk to the petitioner directly, that Rasavelu asked him to come and give evidence in the case and that he is also staying in the Durga Lodge where Rasavelu is also staying at the time of giving evidence before the Court. He also admits that in the month of February, 1977 there were about 4 or 5 buses passing through his village, Paramankurichi.

P.W. 4 is an agriculturist and a member of the Kulasekarapattinam panchayat. He has deposed that the respondent came to the village in the last week of February, 1977 and asked the people to vote for him, that the people then complained that there was no bus service to the village as the only bus run by Sriram Popular Service was stopped three months back, and that the respondent promised to bring a bus service to the village in consideration of the villagers voting for him. He further proceeds to say that on 6-3-1977 at 10 A.M. on his way back from his fields, he saw a new bus decorated stopping opposite to the police station, that the Collector, the respondent and some other officers got down from the bus, and that after getting down from the bus the respondent addressed a gathering assembled near the bus stating that as requested by them he had brought the bus service to the village and therefore all of them should vote for him, and thank-

ing the Collector and also the Manager of the Kattabomman Transport Corporation Mr. Srinivasan for helping him to bring the bus service to the village. This witness has also spoken about the inauguration of the water tank in the same village by the Collector on 13-3-1977 but that portion of his evidence will be dealt with while dealing with the charge contained in paragraph 7 of the election petition. He has deposed further that he does not know the election petitioner before, that he met him along with Rasavelu at Udangudi some six months before from now, and that Rasavelu then told him that he has filed an election petition, and that on hearing that, the witness had volunteered to give evidence in the case in his favour. He has also stated that he is a good friend of P.W. 1 and that he has come to depose in favour of the petitioner in pursuance of a letter written by him about 10 days back. To a suggestion in cross-examination that there were enough bus services to the village of Kulasekarapattinam in February 1977, he has stated that there is no other bus service other than Sriram Popular Service terminating in their village though there were many other buses touching the village.

P.W. 5 claims to be a dealer in prawns and a resident of Manapad village. He has deposed that in the last week of February 1977 the respondent and the other leaders of the Indira Congress came to his village in the course of their election campaign, that they were standing in front of the house of Xavier Victoria, a prominent Indira Congress member, that the respondent addressed a gathering assembled there asking them to vote for him, that at that time a prominent person of the village by name Swaminathan stated that there is no bus service to the village, that the only bus which was run by Sriram Popular Service has been stopped a few months ago and that therefore they badly need a bus service to their village. On this the respondent is said to have stated that if he brought a bus service to the village the people should vote for him. On 6-3-77 the witness is said to have come to the bus stand to take tea and at that time he is said to have seen a crowd in the street near a new bus parked on the road. According to the witness that time the respondent, the Collector, Raj Victoria, Vetrivel and several other prominent members of Indira Congress got down from the bus. The respondent then delivered a speech saying that as promised by him he had brought a bus to the village and therefore and or them should vote for him. This witness however admits that Rasavelu asked him to come and give evidence in the case and that he does not know the election petitioner. As regards other bus facilities he admits that there were two bus services one from Manapad to Tuticorin by Bevin Transport, and the other by Sriram Popular Service from Manapad to Tirunelveli. To a question in cross-examination as to how he remembers 6th March, 1977 as the date when he saw the new bus coming to the village, he says that as the bus was new he remembered the date.

P.W. 6 is a dealer in rice residing at Manapad. He speaks about the visit of the respondent along with other Congressmen on 23rd or 24th of February, 1977 during which the respondent is said to have assured the people of the village to bring a bus service to their village on their agreeing to vote for him. He also speaks about his second visit on 6-3-1977 in the new bus along with the Collector, the Manager of the Kattabomman Transport Corporation and others, and the speech made by him on that date. This witness however admits that three months ago Rasavelu sent word to him through one Thangadoral asking him to come and give evidence and that was the first time he got interested in the case. This witness also admits that he did not inform about the respondent's visit to the village in the last week of February, 1977 or on 6-3-1977 to anyone that it is only after the filing of the election petition he met Rasavelu and informed him about these matters, and that on the suggestion of Rasavelu he agreed to give evidence.

Except the above oral evidence there are no documents in relation to the charge contained in item 5 of paragraph 6 on the petitioner's side.

R.W. 1, the Traffic Manager of Sriram Popular Service private limited, has deposed that they were running two buses touching the villages, Udangudi, Paramankurichi, Kulasekarapattinam and Manapad in addition to the buses which was running on the route Tuticorin—Manapad which touches Kulasekarapattinam, and that as five town services were introduced by the Kattabomman Transport Corporation from Tiruchendur to Udangudi, Tiruchindur to Punakayal and Tiruchendur to Paramankurichi Tiruchindur to Sathan Kulam, Tiruchendur to Udangudi, Tiruchindur to Punakayal and

dur to Nazarath on 2-3-1977 they withdraw their buses on these routes from 1-4-1977 after sending a stoppage report to the Regional Transport Authority.

He has produced Exhibits R-1 and R-1(a) which show that the bus M.D.T. 5751 running through the four villages, Udangudi, Paramankurichi, Kulasekarapattinam and Manapad was stopped only with effect from 1-4-1977 and not earlier as alleged by the petitioner. He has also produced the trip sheet, Exhibit R-2 for the said bus showing that the bus ran on the route on 30-3-1977. He has also deposed that in addition to their bus, one Bevin Transport was also running its buses touching these four villages, while operating on the route Tuticorin to Udangudi even in February, 1977. In cross-examination the authenticity of Exhibit R-1 and the trip sheet Exhibit R-2 was questioned. But I do not see how the authenticity of these documents can be questioned. Exhibit R-1 is in the letter head of Sriram Popular Service and the witness who is the Traffic Manager of the company has spoken to the contents of that letter. The letter is dated 24-3-77 addressed to the Regional Transport officer and it says that as the Katabommen Transport Corporation has introduced five town buses in the Tiruchendur area on and from 2-3-1977, their mofusil buses plying in that area are badly affected with poor passenger load as the passengers prefer town service with a lesser bus fare, that, therefore, they propose to surrender the permits of the 11 buses plying on the 11 routes and also two reserve buses with effect from 1-4-1977 and that the buses will be off the road on the night of 31-3-1977. Exhibit R-3 is a copy of the communication received from the Secretary Regional Transport Authority dated 4-4-1977. It refers to the letter from Sriram Popular Service dated 24-3-1977 and states that Sriram Popular Service have stopped plying their buses on the 11 routes with effect from 1-4-1977 and subsequently surrendered the permits but that as the 11 vehicles were being run on temporary permits issued as per the orders of the Court pending grant of renewal, the surrender of the temporary permits sought for by the applicant cannot be considered without specific orders of the Court. Item No. 11 in Exhibit R. 1 relates to M.D.T. 5751 running on the route Srivaikuntam to Kuttam viz Tiruchendur and Udangudi. This item has been marked as Exhibit R-1(a). The evidence of R.W. 1 and the copy of the letter Exhibit R-1 shows that the villages were served by Sriram Popular Service buses till 31-3-1977, and that their buses were stopped only with effect from 1-4-1977 after the introduction of the town bus services by the Kattabomman Transport Corporation in the Tiruchendur area. Exhibit R-2, the trip sheet of the bus M.D.T. 5751 shows that the bus was on the road upto 30-3-1977. Though it was stated by the petitioner's counsel that the trip sheet has not been signed, a close perusal of the same indicates that it has been signed by the driver and the conductor of the bus and their signatures in Exhibit R-2 have been identified by R.W. 1, the Traffic manager of Sriram Popular Service. No motive has been alleged against this witness on behalf of the petitioner. The evidence of this witness clearly establishes that the buses of Sriram Popular Service were stopped only with effect from 31-3-1977 and not three months before the last week of February, 1977 as alleged by the petitioner's witnesses. P.Ws. 1 to 6.

R.W. 2, one Chelladurai, a resident of Udangudi has deposed that the respondent came to the village at about 10 P.M. about 7 or 8 days before the polling, when a Kalakshepam was going on in the village, that as the Kalakshepam was topped when the respondent came, he made a speech for about 10 minutes asking the people gathered there to vote for him, and that the first respondent did not come to the village earlier or later. He has further deposed that in the last week of February, 1977 there were a number of buses touching Udangudi operated by four transport operator, Sriram Popular Service, Motor Union, Ganapathy and Kattabomman Transport Corporation, that not withstanding these bus facilities, the people of the village were demanding the introduction of a town bus from Tiruchendur for a long time, that in pursuance of that demand a bus was introduced by the Kattabomman Transport Corporation from the second of March, 1977, and that he actually saw a new town bus on March 2, 1977 at the Udangudi bus stand when it came from Tiruchendur decorated with plantain trees and flowers and smeared with sandal paste. He says that he did not see the respondent or the Collector or the manager of the Kattabomman Transport Corporation travelling in the bus on that day. According to him the town bus was not introduced on

6-3-1977 as alleged by the petitioner but it was introduced only on 2-3-1977. This witness however admits that he was the Secretary of the Congress Party previously and the Vice-President of the Party in the Panchayat Union Block at the time of the election. This witness denies that the respondent came to the village in the last week of February, 1977.

R.W. 4 is the President of the Panchayat Board, Paramankurichi. He claims to have been the President of the Panchayat Board for the last 23 years. He says that the respondent came to the village on 26-2-1977 in a car followed by the jeep fitted with mike, that he spoke for five minutes requesting the villagers to vote for the Congress party in the election and thereafter left the village and that the respondent never visited the village thereafter in connection with the election campaign. He also states that there will be at least 30 buses passing through his village in a day and that it is not correct to say that the villagers had no bus facilities in the last week of February 1977. But he would say notwithstanding these bus facilities that there was a demand by the villagers for a town bus from Tiruchendur, that in pursuance of that demand a town bus was introduced on 2-3-1977 by Kattabomman Transport Corporation, that he actually saw the bus at the Paramankurichi bazar decorated with flowers and plantain trees on 2-3-1977 and that neither the respondent nor the Collector travelled in the said bus. He however admits that he belongs to the Congress (I) Party, that he knows the respondent for 10 to 15 years, and that he canvassed votes for the respondent during the election campaign. As regards the introduction of the town bus service, he produced an invitation card, Exhibit R. 4 issued by the Kattabomman Transport Corporation, Nagercoil wherein it has been stated that the inauguration of the town services will be done by the Collector of Tirunelveli. In cross-examination he says that in his official capacity as the President of the Panchayat he received the invitation from the Kattabomman Transport Corporation and that the demand for a town bus was made about 4 or 5 months before introduction of the town bus service on 2-3-1977.

R.W. 6 is a dry fish merchant at Manapad. He deposes that the respondent visited their village during the election campaign just one week before the election at about 1.30 P.M. that he had a jeep fitted with a loudspeaker, and that he came to the radio station at Manapad where people were repairing their nets and requested the people to vote for the Congress. As regards the availability of transport facilities this witness has deposed that in February, 1977 there were at least 10 to 12 buses touching Manapad village and that almost all the major towns were connected with Manapad by the said bus services. He further says that on the first or second of March, 1977 a new town bus service was introduced, that he actually saw the bus decorated with plantain trees on that day and that except the passengers, neither the Collector nor the respondent travelled in that bus. He however admits that he is an ardent Indira Congressman and a close friend of the respondent and that he was canvassing for him at the election. According to him the villagers were making a demand for a town Bus for about 1-1/2 years before the election but that it is only in March 1977 the town bus was introduced. He however says that he does not know who had worked for it.

R.W. 8 is one Maslin Maraikayar, President of the Kulasekarapattinam panchayat. He has been President of the Panchayat for the last 9 years. Before that he was a member of the panchayat from 1935. He is a man of 80 years of age. He deposed that there were a number of buses passing through his village and connecting the neighbouring villages and towns at the time of the elections and that it is incorrect to say that there were no bus facilities. According to him on 2-3-1977 a town bus service was introduced and he got the invitation for the inauguration of the town bus service at Tiruchendur on 1-3-1977 but he did not attend the function at Tiruchendur on 2-3-1977 but however saw the bus near the Asania School and the bus stop in Kulasekarapattinam at about 11 A.M. decorated with plantain trees and flowers. At that time he did not see the respondent or the Collector in the bus. This witness also had admitted in cross-examination that he belongs to the Indira Congress and that he worked for the Indira Congress candidate during the Lok Sabha elections in March, 1977. On the question as to whether Sriram Popular Service bus was stopped three months or four months before February, 1977, he says that it was stopped only on 1-4-1977 and not three months prior to February,

1977 as suggested. He also says that there was a demand from the people for a town bus service as it was cheaper to travel by town bus rather than by mofussil buses and that though the panchayat did not take any steps the general public filed a mahazar asking for a town bus before the concerned authorities. Though this witness says that he worked for the Indira Congress candidate in the election, he would complain that nothing helpful was done by the respondent so far to his village and that he has been indifferent to the needs of his village.

Exhibit R. 16 to R. 2 are the proceedings of the Regional Transport Authority, Tirunelveli granting five temporary permits for the five town routes inaugurated on 2-3-1977 at Tiruchendur. Out of these, Exhibit R. 19 relates to the grant of a temporary permit to bus TNK. 1187 belonging to the Kattabomman Transport Corporation to ply on the route Tiruchendur to Manapad, touching Paramankurichi, Udangudi and Kulasekarapattinam etc., to provide town service facilities at cheaper rates for a period of four months from 2-3-1977. This indicates that a town bus was introduced on the route Tiruchendur to Manapad with effect from 2-3-1977. Exhibits P. 26 and P. 26(a) are the circulars issued by the Kattabomman Transport Corporation on 28-2-1977. Exhibit P. 26 announces the introduction of 5 town services in Tiruchendur area with effect from 2-3-1977 on five routes. The fifth route referred to therein is Tiruchendur—Manapad via Kayamozhi, Paramankurichi, Udangudi, Kulasekarapattinam and Sirumadarkudieruppu. Exhibit P. 26(a) fixes the timings and trips for the bus running on route No. 5 and it also fixes the fares to various places from Tiruchendur. Exhibits R. 19 and R. 26(a) clearly establish that the town bus was introduced with effect from 2-3-1977.

R.W. 10, V. Sundaram, I.A.S., was the Collector of Tirunelveli during the relevant time. He has deposed that there was a persistent demand for providing town bus facilities to Tiruchendur area from the villagers, that he has recommended to the Government to notify Tiruchendur as town under the Motor Vehicles Rules so that town buses can be introduced in Tiruchendur area, that the Government accepted his recommendation and notified Tiruchendur as a town, that it is only thereafter the Kattabomman Transport Corporation plied for and got temporary permits to run five buses as town buses, that he participated in the inaugurating the service he travelled symbolically in the bus upto Tiruchendur town limits, and that he did not travel in the bus upto Manapad as alleged by P.W.s 1 to 6. He specifically denies that the respondent had anything to do with the introduction of the town bus from Tiruchendur to Manapad, though he is not definite as to whether the first respondent was present at the inaugural function. This witness has also denied that he travelled in the bus to Manapad from Tiruchendur and got down at Udangudi, Kulasekarapattinam, Paramankurichi and Manapad. To show that the inaugural function was on 2-3-1977 and not on 6-3-1977 R.W. 10 has marked the entry in his diary Exhibit R. 10 as Exhibit R. 10(a). Exhibit R. 10(a) shows that R.W. 10 inaugurated the Kattabomman Transport Corporation Town Services at Tiruchendur Bus stand at 9.30 P.M.

R.W. 13 is the respondent himself, and he has denied the allegations that during his visits to the said villages he promised to provide bus facilities in consideration of the villagers promising to vote for him. According to him, the said villagers were already well served by buses and there is no scope for bargain as alleged by the petitioner. He has also deposed that he has nothing to do with the introduction of the town bus from Tiruchendur which appears to have been done in pursuance of a persistent demand from the villagers for town bus facilities, that on 2-3-1977 when he was camping at Tiruchendur he saw a crowd at the bus stand, that on enquiry he found that a town bus is being inaugurated and that he just went into the bus stand and got out, that he did not travel in the town bus from Tiruchendur to Manapad on 6-3-1977 or on any other date along with the Collector and others, that he did not get down from the town bus at each of the four villages, did not speak or canvass for votes telling them that he had brought the bus as promised and therefore all of them should vote for him. He categorically denies that there was any bargain by him with the villagers for their votes as alleged by the petitioner.

On a due consideration of the above oral and documentary evidence I am clearly of the view that the allegation contained in item 5 of paragraph 6 has not been established

Except the oral testimony of P.W.s. 1 to 6 to the effect that the first respondent came to their villages in the last week of February, 1977 that the villagers wanted him to provide bus run by Sriram Popular Service has been stopped three months ago that the first respondent promised to bring the substitute bus service if the villagers promised to vote for him, and that later on 6-3-1977 he actually brought the bus service from Tiruchendur accompanied by the Collector, the manager of the Kattabomman Transport Corporation and other Congressmen and told the villagers that he has kept up his promise by bringing the bus to the villages and therefore they must all keep up their assurance to vote for him, there is no documentary evidence to show that the first respondent visited the villages either in the last week of February, 1977 and on the 6th of March 1977. Apart from this the oral evidence of P.W.s. 1 to 6 is contrary to certain facts established by documents. The oral evidence of P.W.s. 1 to 6 proceeds on the basis that there were no bus facilities to the four villages, Udangudi, Kulasekarapattinam, Paramankurichi and Manapad after Sriram Popular Service stopped its bus a few months ago, that the people in these villages were in dire need of bus facilities to their villages and that the respondent made a bargain with the villagers for providing bus facilities in return for their voting for him. However some of them have admitted that there are many other buses, apart from the bus belonging to the Sriram Popular Service, running through their villages. It is not also their case that they were keen on having a town bus service and that the bargain between the villagers and the respondent related to the provision of a town bus service for the villages. Once the basis that the villages were not served by any bus in or about February 1977 is not made out, the theory that the respondent bargained with the villagers for the introduction of bus facilities in return for their votes cannot be accepted. On the other hand the oral evidence of R.W.s. 1, 2, 4, 5 and 8 as also the documentary evidence, Exhibits R. 1 to R. 4 go to show that Sriram Popular Service stopped their bus services only on 1-4-1977 after the introduction of the town bus service by the Kattabomman Transport Corporation on 2-3-1977 and not three or four months earlier. If the villages had already enough bus transport facilities there is no room for any bargain by the villagers with the respondent as alleged by the petitioner. That the town bus service was introduced in these villages from 2-3-1977 is clear from Exhibits R. 4, R. 10, R. 19, R. 26 and R. 26(a). Further the specific case of the petitioner is that the respondent brought a bus to the four villages on 6-3-1977 and called upon the villagers to vote for him on the ground that he had kept up his promises made earlier in the last week of February 1977 that he would provide bus facilities to the villages. That means that the alleged corrupt practice has been practised by the respondent in the last week of February 1977 by his promising to provide gratification in the form of bus facilities to the villages, and on 6-3-1977 when he came to all the villages along with the bus and asked for their votes on the ground that he had kept up the promise of gratification. There is no convincing evidence to prove that the first respondent visited the villages in the last week of February 1977. On the other hand there is concrete evidence in the form of documents that the town bus was introduced connecting all these villages from Tiruchendur on 2-3-1977 and not on 6-3-1977 as alleged by the petitioner and spoken to by P.W.s. 1 to 6. Therefore it can clearly be stated that the respondent could not have come with a new bus to the villages on 6-3-1977 as spoken to by P.W.s. 1 to 6. All of them have asserted that the bus was brought on 6-3-1977 by the respondent. The learned counsel for the petitioner had also made suggestions to the witnesses examined on behalf of the respondent that the bus came to the villages only on 6-3-1977 and not on 2-3-1977. The inconsistency about the date of the arrival of the bus in the villages cannot be taken lightly and I am not inclined to agree with the learned counsel for the petitioner that it is a minor mistake committed by the witnesses as to the date when the bus came to the villages. As already stated, the specific case of the petitioner is that the respondent came to the villages along with the bus and asked the villagers to vote for him and keep up their alleged earlier promise. According to the petitioner, the corrupt practice has taken place on 6-3-1977 and not on 2-3-1977. The respondent has adduced enough and convincing evidence to show that he did not go to the villages on 6-3-1977 along with the new town bus and, that the town bus was introduced on 2-3-1977 by K.T.C. on their own accord. A corrupt practice is of a penal nature and therefore the date of the commission of the corrupt practice is very material. As

already stated, since the date of the filing of the petition till the trial was over, the petitioner and his witnesses proceeded on the basis that the corrupt practice was committed only on 6-3-1977 by offering gratification by way of providing bus facilities to the villagers and it is only after the first respondent has produced concrete and conclusive evidence that the new bus was introduced on 2-3-1977 itself by the Kattabomman Transport Corporation on their own accord, the learned counsel for the petitioner suggests that the slight mistake on the part of the petitioner and his witnesses in giving a wrong date should be ignored by the Court. I am not inclined to accept this suggestion of the learned counsel that the date 6-3-1977 given in the petition and spoken to by his witnesses as the date when the bus was introduced to the villages should be taken as 2-3-1977. Apart from this clear inconsistency about the date which goes to the root of the matter, the evidence of the Collector, R.W. 10 clearly indicates that the town bus was introduced to meet a long-felt need of the villagers after his taking up the matter personally with the Government, even before the election to the Lok Sabha was notified, and that the first respondent had nothing to do with the introduction of the town bus. R.W. 10 has also specifically stated that the respondent did not make any representation to him for the introduction of the town bus and that the town bus was introduced in the usual course, to meet the long-felt need of the villagers. It is also clear from the evidence of R.Ws. 1, 2, 4, 5 and 8 that the four villages had adequate bus facilities even in February, 1977 and this indicates that the provision of bus facilities could not have been a subject-matter of the bargain between the villagers and the respondent as alleged by the petitioner. Apart from P.W. 1 Rasavelu, the other witnesses have deposed that they either volunteered to give evidence or they were approached for giving evidence in the case through P.W. 1 by the petitioner, just two or three months before they gave evidence in Court, that is long after the filing of the election petition. This may be a fact for the reason that the election petition does not contain the detailed particulars as to the source from which the election petition got the materials relating to the said corrupt practice. The petitioner has not gone into the witness box to state from what sources the facts stated in paragraph 6 of the election petition came to his knowledge. Most of the witnesses on his side, except P.W. 1, would say that they met the petitioner or P.W. 1 about three months before their giving evidence, and as such these witnesses could not have informed the petitioner about the details contained in paragraph 6 of the election petition. As a matter of fact none of them say that they gave the materials to the petitioner or to P.W. 1 before the preparation of the election petition. This explains the filing of the memo of particulars by the petitioner only after the first respondent filed an application for striking out some paragraphs in the election petition and after the Court directed the petitioner to file the particulars practically at the time of the commencement of the trial. This leads to the inference that the petitioner was not aware of the particulars on the date of the filing of the election petition but subsequently the particulars have been gathered from each of the villages by approaching persons who are willing to give evidence and who are known to P.W. 1. In the light of the above discussion, I am not inclined to accept the evidence of P.Ws. 1 to 6 which is not supported by any documentary evidence, especially when the respondent has adduced clinching documentary evidence, which are mostly official records, to prove that the town bus was introduced in these villages in the usual course on 2-3-1977, that there were enough bus facilities in the villages during the second week of February, 1977 and that the introduction of the town bus was not at the instance of the respondent. In any view of the matter the charge of corrupt practice levelled against the respondent in item 5 of paragraph 6 of the election petition cannot be taken to have been duly proved. Issue No. 1 is therefore answered in the negative and against the petitioner.

Issue No. 2 relates to the promise of gratification by the first respondent by providing protected water supply to the following villages: Kuttam, Kulasekarapattinam, Paramankurichi and Panankudi. The averments relating to this issue is contained in paragraph 7 of the election petition. In paragraph 7 the petitioner has stated that while going round his constituency the respondent promised the voters in the said four villages that he would bring protected water supply to the said villages provided in consideration thereof, they promised to vote for him, and that on the people agreeing to

do so, the respondent sought the assistance of the Collector in furtherance of his election prospects for opening the water supply schemes or for laying the foundation for the water supply schemes in these villages.

Paragraph 7(1) deals with the function relating to the laying of the foundation for protected water supply by the Collector of Tirunelveli in Kuttam village in Nangueri taluk. It is alleged therein that the Collector during the function praised the benefits of the then Prime Minister's regime and spoke about the need for strengthening the hands of the then Prime Minister, and that the respondent who was present on the occasion thanked the Collector for having complied with his request for providing protected water supply to the village and requested the gathering to vote for him in consideration of his having taken steps to bring protected water supply to the village. In this paragraph date of the respondent's earlier visit to the village and the later date when the Collector and the respondent participated in the function held in the village for laying the foundation stone for protected water supply have not been given. However, when objection was taken by the respondent that there are no material particulars set out in the said paragraph and after a direction from the Court, the election petitioner gave the details of particulars referred to earlier as regards paragraph 7(1).

The averments in paragraph 7(1) of the petition have been denied by the respondent in paragraphs 11 and 12 of his counter statement. As per paragraph 7(1) of the petition read with the statement of particulars filed by the petitioner, the respondent visited Kuttam village and met the villagers near the Anandavalli Ammal temple at about 7 or 7.30 P.M., the villagers represented to him to get them water supply, the respondent assured them to get water supply provided they vote for him in consideration and the villagers promised to do so. Neither in paragraph 7(1) nor in the statement of particulars the date of the function in which the Collector laid the foundation stone for the protected water supply has been mentioned.

P.W. 7, one Anandan a resident of Kuttam village has deposed that the respondent came to the village in the beginning of March, 1977 and promised to provide the village with drinking water facility provided all the villagers vote for him, and that the villagers agreed to do so. Subsequently a week thereafter the Block Development Officer, the Revenue Divisional Officer and the Collector visited the village and examined a well on the road side and made arrangements for the laying of the foundation stone for the overhead tank in that place through the President of the Panchayat. A few days later the Collector came and laid the foundation stone for the overhead tank. He has however admitted that he does not remember the date of the laying of the foundation stone. But he would say that the Collector, while laying the foundation stone, called upon the villagers to strengthen the hands of Mrs. Indira Gandhi, who was doing so many good things under the 20 Point Programme, by voting for the cow and calf symbol and that, thereafter, the respondent thanked the Collector for obliging him by laying the foundation stone for the water supply and by taking steps to bring protected water supply to the village. A suggestion was made to this witness in cross-examination that he was doing business in Udangudi, 10 miles away and not residing in Kuttam, but the witness said that he used to go often to Kuttam village as it is his native place. To a suggestion in cross-examination whether he was aware of a resolution passed by the Udangudi Panchayat for the construction of an overhead tank for protected water supply in Kuttam village on 6-9-1974, he said that the resolution related not to Kuttam village but to Koodukalai village, another village within Kuttam Panchayat. To a question in cross-examination that he is giving evidence at the request of the Rasavelu P.W. 1, he denied and stated that he came to Madras a week ago to see his younger brother, that he heard about the hearing of the case and that he came to the Court on the 9th as he learnt from other witnesses who were staying at Durga Lodge that he was to be examined on that day. He is not however able to say who exactly told him that he is going to be examined on the 9th. Admittedly no suppoena has been taken for his examination. It is somewhat curious as to how this witness came to Madras without any witness summons from the Court and without anybody asking him to come and depose as a witness. According to him he actually came to Madras to meet his brother and somebody told him that he was to be examined on 9th. Who is that somebody is also not specified by him. Apart from the

evidence of P.W. 7 there is no documentary evidence to establish the charge contained in paragraph 7(1) of the election petition.

As against the evidence of P.W. 7, the respondent has examined R.W. 7, R.W. 10 and R.W. 13 and marked Exts. R. 5 and R. 7. R. 7 is the President of Kuttam Panchayat and he is a B.A.B.T. He has deposed that the Panchayat has passed a resolution on 6-9-1974, Exhibit R. 5 requesting the Tamil Nadu Water and Drainage Board to give protected water supply to the village, that he has been making representations in pursuance of the resolution of the panchayat to get protected water supply to the village, that at last the Tamil Nadu Water and Drainage Board arranged for the laying of the foundation stone for the construction of an overhead tank, that himself and the Block Development Officer arranged for the function, and that the Collector laid the foundation stone on 14-3-1977 when most of the officers like the Block Development Officer, Executive Engineer of the Tamil Nadu Water and Drainage Board were present at the function. He says that the respondent did not participate in the function held on 14-3-1977, that the respondent did not come to the village at any time during his electioneering work, and that he did not promise the villagers that he will bring drinking water facility to the village in consideration of their voting for him. He also says that the respondent has nothing to do with the water supply scheme, that the protected water supply scheme was sanctioned by the Tamil Nadu Water and Drainage Board about 2 years ago, but that the sanction was put in execution by laying the foundation stone on 14-3-1977 by the Collector at the instance of the Tamil Nadu Water and Drainage Board. He also stated that P.W. 7 was permanently residing in Udangudi where he is carrying on business.

R.W. 10 the Collector who is said to have participated in the function in the village on 14-3-1977 has deposed that at the request of the Tamil Nadu Water and Drainage Board he laid the foundation stone, that the laying of the foundation stone was done in a routine manner that the respondent had nothing to do with the sanction of the water supply scheme or the arrangement of the said function. He also says that the respondent did not participate in that function. R.W. 13, the respondent, had deposed that he never visited the village in the first week of March, 1977 and promised to get protected water supply to the village provided the villagers promised to vote for him and that he was not even aware of the function of laying the foundation stone for the protected water supply scheme on 14-3-1977 by the Collector. The charge in paragraph 7(1) depends entirely on the credibility of P.W. 7. P.W. 7 admits that he has volunteered to give evidence not only without summons from the Court but also without any request from anyone. This can hardly be accepted as true. Even assuming that his evidence is acceptable, he has not given any details as to when the promise of gratification was made by the respondent and when the promise was fulfilled. His evidence is quite vague and indefinite. He admits that he cannot remember both the dates. As against this, the evidence of R.W. 7 the President of the Kuttam Panchayat and R.W. 10 the Collector is preferable. According to R.W. 7 a resolution Exhibit R. 5 was passed by the Panchayat even in the year 1974 requesting the Tamil Nadu Water and Drainage Board to give them protected water supply, and their village was actually included in the list of places intended to be given water supply two years ago but the same was put into effect by laying the foundation stone by the Collector at the instance of the Tamil Nadu Water and Drainage Board only on 14-3-1977. The Collector, R.W. 10 has also substantially corroborated the evidence of R.W. 7. Though the genuineness of Exhibit R. 5 filed by R.W. 7 was questioned on the ground that it has not been attested by R.W. 7 as a true extract of the minutes of the panchayat, the witness who is the President of the Panchayat having spoken to the details contained in Exhibit R. 5 and he being a party to the resolution the copy of the resolution filed can be admitted in evidence. The mere fact that the original minutes containing the resolution of the panchayat has not been produced, the evidence of R.W. 7 that the panchayat was persuading the Water and Drainage Board to give protected water supply from 1974 cannot be ignored. In my view the oral evidence adduced on the side of the petitioner is most unreliable and the evidence of R.W. 7 and R.W. 10 who hold responsible posts has to be accepted. The evidence of R.W. 7 and R.W. 10 read with Exhibit R. 5 indicate that there could not have been a bar

gain for votes between the villagers and the respondent. Therefore the charge contained in paragraph 7(1) cannot be taken to have been proved at all.

As regards the allegations made in paragraph 7(2) of the election petition relating to the promise by the respondent of gratification by arranging for the protected water supply to Kulasekarapattinam village in Tiruchendur taluk, it is said that the installation of the pumpset and its energisation were done hurriedly without waiting for its turn for the sole purpose of furthering the election prospects of the respondent and that this amounted to a corrupt practice. In the counter statement the respondent has stated in paragraph 13 that he had no knowledge about the opening of the protected water supply scheme at Kulasekarapattinam by the Collector, that it was not done at his instance, that he was not present at the function held on 13-3-1977 for inaugurating the water supply and that the petitioner's allegations to the contrary are totally false. The oral evidence on the petitioner's side relating to this charge consists of the evidence of only P.W. 4, who has deposed that he was present at the inaugural function held on 13-3-1977 when the Collector opened the water tap after energising the pumpset, that at the function the Collector and the respondent addressed the gathering, that both of them asked the people to vote for the cow and calf symbol to strengthen the hands of Mrs. Indira Gandhi, who has done several good things under the 20 point programme. This witness also refers to an earlier visit by the respondent in the last week of February, 1977 when the elderly people of the village are said to have asked him to arrange to provide bus facilities and that portion of his evidence has already been considered while dealing with the allegation contained in paragraph 6(5) of the election petition. This witness does not say that on the earlier occasion when the respondent visited the village in the end of February, 1977 the villagers requested the respondent to provide them with protected water supply and in pursuance of that request the respondent brought water supply scheme to the village. Apart from the fact that the witness does not talk of any nexus between the opening function by the Collector relating to the water supply scheme and the earlier alleged visit of the respondent in the last week of February, 1977, he does not appear to be a credible witness. In cross-examination he says that he met the election petitioner and Rasavelu about six months after the filing of the election petition when he offered himself as a witness, and the reason given is that the candidates promised so many things during the election but afterwards they completely forget about it and that is why he volunteered to give evidence. He also says that he is a good friend of Rasavelu. P.W. 1 and whenever he goes to Udangudi, he meets him. He says that he came to give evidence on his own expense because the election petitioner had written to him just 10 days before he gave evidence asking him to come and depose in his favour. This witness has gone to the extent of saying that there is no bus service touching Kulasekarapattinam in February, 1977, but actually it has been found while dealing with the allegations in paragraph 6(5) of the petition that there were a number of buses touching Kulasekarapattinam. This witness says that he has got only 40 cents of land and is seeking his livelihood by cultivating that 40 cents. Even then he would say that he came and stayed in Madras at his own expense for about 10 days with a view to give evidence in this case voluntarily. On a reading of his evidence it appears to me to be clear that he has come to depose in this case only at the instance of P.W. 1, Rasavelu who is a close friend of his.

On this charge the respondent has examined R.W. 8, Maslin Marakayar, the President of the Kulasekarapattinam panchayat whose evidence has been discussed in detail and accepted while dealing with the charge contained in paragraph 6(5) of the election petition. Relating to this charge R.W. 8 has stated that he has been making arrangements to get water supply for this village for several years, that a well was dug and water was supplied from that well to their village, that this was in pursuance of the sanction given by the Government during the D.M.K. regime, that the approximate cost of the scheme was Rs. 4,61,000, that the inauguration of the water supply in the village was done by the Collector in the usual course and not at the instance of the respondent, and that the respondent had nothing to do with the said scheme or the inaugural function. This witness has produced Exhibits R. 6 to R. 8 which are the copies of the resolutions passed by the panchayat in the year 1972, 1975 and 1976 respectively. Exhibit R. 6 is the resolution

requesting the Government to sanction water supply scheme for the village, as in that area the villagers were able to get only saltish water. The second resolution, Exhibit R. 7 is dated 31-5-1975 and that contains a request to the Tamil Nadu Water and Drainage Board to implement the water supply scheme at an early date. Exhibit R. 8 dated 26-11-1976 is a resolution stating that the panchayat is unable to contribute for the scheme and requesting the Government to undertake the scheme under full Government grant. He has further deposed that the scheme was completed in the year 1976 itself but the actual supply of water was on 13-3-1977 after the inauguration of the scheme by the Collector on that date. He has also produced Exhibit R. 9 an invitation issued by the Water and Drainage Board for the inaugural function of their water supply scheme. Exhibit R. 9(a) is the envelope. This invitation does not contain the name of the respondent as one participating in the function. R.W. 8 has also deposed that the respondent did not participate in the function, and that the Collector in his speech did not call upon the villagers to vote for the cow and calf symbol as alleged. There is no reason as to why the evidence of R.W. 8 which is corroborated by the documents Exhibits R. 6 to R. 9 should not be accepted in preference to the uncorroborated and inconsistent and interested testimony of P.W. 4. The evidence of R.W. 10 the Collector corroborates in material particulars the evidence of R.W. 8. R.W. 10 has stated that the scheme was sanctioned long ago even before the announcement of the elections to the Lok Sabha but that the scheme came to be inaugurated only on 13-3-1977 and that the respondent had nothing to do with either the sanction of the scheme or the inauguration of the water supply in village. Exhibit R. 23 is the memo dated 8-9-1975 showing that the Tamil Nadu Water and Drainage Board had granted the approval for providing protected water supply to Kulasekarapattinam village at a cost of Rs. 4.36 lakhs by including Kulasekarapattinam panchayat in the list of scarcity villages. R.W. 8 and R.W. 10 had both deposed that it is only in pursuance of the sanction contained in Exhibit R. 23 the work has been taken up and completed in 1976. Exhibit R. 23 also corroborates the evidence of R.W. 8 and R.W. 10 that the scheme was a long pending one, that the scheme was completed by the Tamil Nadu Water and Drainage Board in the usual course even in 1976 and that it was not done at the instance of the respondent. R.W. 13, the respondent, in his evidence has denied that he had anything to do with the opening of the water supply scheme in this village. In these circumstances I cannot say that this charge is established merely on the basis of the interested and inconsistent oral testimony of P.W. 4.

Coming to the charge of corrupt practice contained in paragraph 7(3) of the election petition, the petitioner has alleged that on 6-3-1977 at Kalladikurichi in Ambasamudram taluk, there was an opening function for the protected water supply scheme at the instance of the respondent in which the Governor, the Collector and the respondent participated, that the Governor and the Collector as well as the respondent spoke about the benefits of the then Prime Minister's regime and of the necessity to strengthen her hands by voting for the cow and calf symbol, and that the said function was arranged only for the sole purpose of furthering the respondent's election prospects. This allegation has been met in paragraph 14 of the counter statement wherein the respondent denies that the said function was arranged at his instance or for the sole purpose of furthering his election prospects, and states that the same was arranged by the Tamil Nadu Water and Drainage Board and the Governor inaugurated the same and that he did not participate but was present among the audience. He denies that the Governor and the Collector spoke at the meeting about the necessity to strengthen the hands of the then Prime Minister by voting for the candidate with cow and calf symbol or that he thanked the Collector for having complied with his request to inaugurate the water supply scheme. With reference to the allegations set out in paragraph 7(3) of the election petition, P.W. 17 has been examined. P.W. 17 is running a photo studio called Chitra Studios at Tirunelveli and he has taken photographs at the function that took place at Kalladikurichi on 6-3-1977. He has produced Exhibits P3 to P5 the photographs taken by him on that occasion. These photographs have been marked to show that the respondent also attended the function and he was also seated at the dias. According to the respondent, he was sitting among the audience. According to P.W. 17 the respondent is found seated on the dias in the back row behind the Collector in Ex. P3. P.W. 17 does not however say that the respondent spoke on that occasion. On the other hand he says that there was no occasion for the res-

pondent to give a speech and therefore there was no photograph of the respondent participating in the function. The evidence of P.W. 17 does not support the case of the petitioner that the respondent spoke on the occasion and thanked the Governor and the Collector for obliging him and inaugurating the water supply scheme for furthering his election prospects. According to the respondent he was one among the audience and as the Governor was visiting the place within his constituency and as that was a fairly big function he went there and was one among the audience. According to the petitioner the function was arranged at the instance of the respondent and he participated in the function. If really the function was arranged by the respondent he would have participated in the function. Apart from the evidence of P.W. 17 and the photographs Exhibits P. 3 to P. 5 there is no evidence on the side of the petitioner to indicate that the respondent had arranged for the function and also participated therein. The fact that the respondent was present on the occasion has not been disputed. But the dispute is as regards his participation in that function. As regards this, we have got the evidence of R.Ws. 10 and 13. R.W. 10 has very categorically stated that the respondent did not participate in the function and he does not remember whether the respondent came at all for the function. According to him the respondent had nothing to do with the function nor with the water supply scheme, R.W. 10 says that the function was an official function arranged by the Tamil Nadu Water and Drainage Board and that there is no question of any politician taking part in it. He would assert that if the function was arranged by the respondent he would not have participated in it. R.W. 13 has also denied that the function was arranged by him that he was responsible for the Governor and the Collector coming and attending the function, and that he spoke on that occasion. After analysing the evidence, I find that the petitioner has more established that the respondent was sitting in the dias in the back row at the function. This fact alone is not sufficient to establish the alleged corrupt practice of promising gratification to the villagers in the form of providing water supply and procuring the assistance of the officials in his election campaign. It cannot, therefore, be said that the corrupt practice set out in paragraph 7(3) of the petition has been established in this case.

In paragraph 7(4) of the petition the petitioner has alleged that at the instance and request of the respondent and for the sole purpose of furthering his election prospects, a foundation stone was laid for the protected water supply through Thiru R. V. Subramaniam, Adviser to the Governor at Panagudi in Nanguneri Taluk on 2-3-1977, that on that occasion the Adviser spoke about the need the strengthen the hands of the then Prime Minister by voting for the cow and calf symbol and that the respondent thanked the Adviser for having complied with his request. This allegation has been dealt with in paragraph 15 of the counter statement. The respondent states therein that on one day on his way from Valliyur to Kanyakumari he saw a gathering at Panagudi, that on enquiry he heard that Thiru R. V. Subramaniam, Adviser to the Governor is attending an official function of laying the foundation stone for the protected water supply scheme that therefore he went inside the pandal and was among the audience for some time, and that after staying there for a few minutes he left the place and proceeded to Kanyakumari. The respondent has denied as totally false that R. V. Subramaniam at the request of the respondent asked the voters to vote for the cow and calf symbol for strengthening the hands of the then Prime Minister or that he thanked the Adviser for obliging him by requesting the gathering to vote for him. The evidence relating to this charge consists of P.Ws. 12, 13 and 17 on the petitioner's side and R.W. 9 on the respondent's side. P.W. 12 is a resident of Panagudi and a retail dealer in rice. He has deposed that in the last week of February, 1977 there was a meeting on behalf of the Indira Congress in that village, that the respondent participated in that meeting, that two or three days thereafter a printed leaflet was issued by the panchayat board stating that the Collector of the District and the Adviser to the Governor are coming to the village for laying the foundation stone for the water supply scheme, that a pandal was erected at the southern end of the bus stand in the village, that he Collector, the Adviser to the Governor, the respondent and James, Panagudi Indian Congress President, participated in the function, that during the function the respondent came and sat on a chair close to the chair of the Adviser, that the Collector, the Adviser and the respondent all made speeches, that the Adviser R. V. Subramaniam spoke about the benefits of the 20 point programme and asked the gathering to vote for the cow and calf symbol with a view

to strengthen the hands of the then Prime Minister Mrs. Indira Gandhi and that the respondent said that now that the foundation stone has been laid the scheme will be completed within three months and that therefore the voters should vote for him. This witness however admits that he was not present when the respondent came to the village in the last week of February, 1977 and what happened on that occasion. When a specific suggestion was made to him by the respondent's learned counsel that the water supply scheme for this village was sanctioned even on 5th of July, 1976 in G.O. No. 1321, Rural development and Local Administration Department, he admits that he is not aware of that sanction. He also does not know whether the administrative sanction for the commencement of the work was given by the Government in G.O. Ms. No. 110 dt. 21-1-1977 and whether in pursuance of that administrative sanction the Tamil Nadu Water and Drainage Board commenced the work by arranging to lay the foundation stone on 2-3-1977 by the Adviser to the Governor. This witness has further admitted in re-examination that in the printed invitation for the function which he saw; there was no reference to the respondent. He admits that he is the Janatha Party President at Panagudi.

P.W. 13, one Papanasam Perumal is an agriculturist and a document writer at Panagudi. He says that at the end of February, 1977 there was an election propaganda meeting of the Indira Congress in South Car street in Panagudi, that the respondent made a speech on that occasion, that the villagers of Panagudi gave a mahazar about the difficulties experienced by them in their village for water and that on receiving the mahazar the respondent said that it was a very small matter for him and that he will do it soon if all of them vote for him. Thereafter on 2-3-1977 there was a function at the bus stand in which the foundation stone for the protected water supply was laid by R. V. Subramaniam by pressing a button, that he spoke about the necessity to strengthen the hands of the then Prime Minister by voting for the cow and calf symbol, that thereafter the respondent thanked all the officers and told the people that he got water supply to the village within a short time and therefore all of them should vote for him and that subsequently the function was over after vote of thanks was proposed by James, President of the Local Indira Congress Party. In cross-examination this witness has admitted that the respondent came about 5 minutes after the function had started and that since no time was mentioned in the leaflet informing about the meeting the people had gathered even at 11 A.M. and waited till the evening when the meeting actually took place. He also admits that in the leaflet there was no reference to the respondent participating in the function. He also admits that he does not know actually who arranged for the function. To a suggestion in cross-examination that the scheme has been approved by the Government as early as July, 1976 and that the administrative sanction was given by the Government as early as 1-1-1977, he says that he does not know anything about it. In cross-examination he says that he has come to give evidence a the instance of P.W. 1 the President of Janatha Party and that the rent for the room in which he is staying while in Madras, was paid by P.W. 2.

P.W. 17, the photographer has deposed about his taking photographs of the function. He has marked Exhibits P. 1 P. 6, P. 7 and P. 8 as the photographs taken by him. In Ex. P. 1 the respondent is found seated on the dias to the right of R. V. Subramaniam, Adviser to the Governor and in the other photographs the respondent is not found. P.W. 17 does not say that the respondent also participated in the function by making a speech as has spoken to by P.Ws. 12 and 13.

As against the said oral evidence, we have the evidence of R.W. 9, R.W. 10 and R.W. 13. R.W. 9 is one Sivaraj, an ex-serviceman, the Vice President of Tiruneyevi District Ex-Servicemen Association, Secretary of the Nanguneri Taluk Soldiers' Committee, Panchayat member of Panagudi Town Panchayat and member of Depressed Classes Welfare Committee. He has deposed that on one occasion the respondent visited Panagudi during his election campaign and he was making a speech on the road by using a mike. Regarding the function held on 2-3-1977 he says that the function took place at 4 p.m., that R.W. 10 the Collector presided over the function and that R. V. Subramaniam, Adviser inaugurated the Water supply scheme. He has given the substance of the speech made by the collector as well as the Adviser. He has deposed that there was no election campaign made in the last week of February 1977 as alleged by P.Ws. 12 and 13, that there was no presentation of any mahazar to

the respondent on that occasion that the function on 2-3-1977 was arranged by the Panagudi Town Panchayat by collecting donations of Rs. 800 from the public. He specifically denies that this function was arranged at the instance of the respondent as part of his election campaign that the respondent participated at the meeting or that the Collector as well as the Adviser to the Governor spoke about the need to strengthen the hands of the then Prime Minister, Mrs. Indira Gandhi by voting for cow and calf symbol. R. W. 10 the Collector has deposed that the function was arranged by the Tamil Nadu Water and Drainage Board in the usual course, that the scheme was sanctioned as early as 1976 that the administrative sanction for commencement of the work was given in January, 1977 and that the respondent had nothing to do with the function. R.W. 13, the respondent though admits that he was present at the meeting among the audience for some time, denies that he participated in the meeting or that he was responsible for arranging that function. He stoutly denied that he came to the village in the last week of February, 1977 when a mahazar is said to have been presented to him by the villagers asking for provision of protected water supply to the villages. Exhibit R. 24 is the order of the Government in G.O.Ms. 1321/RDLA dated 5-5-1976 wherein the Government have given the administrative approval for 19 water supply schemes mentioned in the annexure thereto for execution during the year 1976-77. Pangudi water supply scheme, is item No. 15 the cost of which has been shown as 11.52 lakhs. Exhibit R. 25 is G.O.Ms. No. 110 dt. 21-1-1977 giving administrative approval for carrying out the scheme, which refers to the resolution No. 110 dt. 17-1-1975 of the Town Panchayat resolving to get the water supply scheme executed through the Tamil Nadu Water and Drainage Board and to meet the cost of the installation of the scheme by obtaining loans from the life insurance Corporation of India and the Government. Exh. R. 25 also refers to the recommendation made by the Collector on 23-9-1976 and of the Director of Rural Development dt. 19-10-1976. The said Government orders, Exhibits R. 24 and R. 25 clearly indicate that the Panagudi Panchayat has been taking steps for getting drinking water supply to the village from 1975 and that the Government sanctioned the scheme at a cost of 11 lakhs of rupees in 1976 and gave administrative sanction in January, 1977 for carrying out the work. These documents completely belie the case of the petitioner that is only on a mahazar presented by the villagers to the respondent when he visited the village in the last week of February, 1977 that the respondent has arranged to bring water supply to the village through the efforts of the Collector and the other officers, and that it was he who arranged for the function held on 2-3-1977. These documents also very much support the version of the Collector as R.W. 10 that the function was arranged by the Tamil Nadu Water and Drainage Board who were executing the water supply scheme in pursuance of the approval given by the Government in January, 1977. The admission of P.Ws. 12 and 13 is to the effect that in that leaflet issued by the Panchayat in relation to the function held on 2-3-1977 there was no reference to the respondent. If the function was arranged at the instance of the respondent one would have expected his name in the leaflet. They have also admitted that the leaflet has been issued by the Panchayat. In the circumstances, therefore, it is impossible to accept the evidence of P.Ws. 12 and 13 which is contrary to the documentary evidence which clearly establish that the respondent has nothing to do with the sanction or the execution of the water supply scheme in the village. Even with reference to the alleged promise of the respondent to bring protected water supply to the village said to have been made in the last week of February, 1977, there is no convincing evidence that the respondent visited the village in the last week of February, 1977 and that during that visit the villagers presented a mahazar to him. The photographs produced by P.W. 17 only show that the respondent was sitting on the dias at the function. The respondent does not dispute the fact that he was present at the function for some time. His presence at the meeting has been explained by him by saying that he was on his way from Vallivur to Kanvakumari and that on hearing that the Adviser to the Governor has come to Panagudi he just went into the pandal and stayed there for some time. His mere presence at the function cannot amount to his arranging in the function or his participation therein. As already stated the leaflet issued in connection with the function does not refer to the respondent which is unlikely if he had arranged for the function. If the respondent had arranged for the function he would see to it that he would get the maximum publicity through the leaflet. In any view of the matter the allegation set out in paragraph 7(4) of the election petition cannot be said to have been proved.

There is no evidence of any bargain between the respondent and the villagers regarding this. This issue is also answered in the negative and against the petitioner.

Issue No. 3 : This issue relates to the respondent's promise of gratification in the form of providing water to Vijayanarayanam tank for the kar season for the sole purpose of furthering his election prospects, as alleged in paragraph 8 of the election petition. In paragraph 8 the petitioner has alleged that during his electioneering work the respondent assured the voters in Vijayanarayanam that he would get them water supply for the Kar crop as a special case provided they assured to vote for him in consideration thereof, that using his political influence the respondent arranged with the Collector for supply of water to the Vijayanarayanam tank which was against all standing orders and regulations, and that this conduct of the respondent amounted to a corrupt practice within the meaning of section 123(1), (2) and (7) of the Act. Since paragraph 8 did not contain all the requisite particulars regarding the place and the time when the said alleged corrupt practice had been committed by the respondent, the petitioner was asked to give the particulars. In the statement of particulars given, it is stated that the respondent visited the village of Vijayanarayanam at 8 or 8.30 A.M. on or about 1st March, 1977, during that visit the villagers represented to him to arrange for the release of water from the Manimuthar Dam to Vijayanarayanam tank for Kar crop that after two or three days the respondent, the Collector and Engineers of Manimuthar Dam visited the village about 8 or 8.30 A.M. and met the villagers near the tank that at that time the Collector assured the gathering that he would arrange for release of water from Manimuthar Dam to Vijayanarayanam tank the next day itself, that the Collector also requested the gathering to vote for the con and calf symbol that the respondent also spoke thanking the Collector and the Engineers for complying with his request and asked the villagers to vote for him for bringing water to the Vijayanarayanam tank, and that on the next day water was released to the Vijayanarayanam tank. These allegations of the petitioner have been countered in paragraph 16 of the counter statement. The respondent has denied that he visited Vijayanarayanam at any time that he promised the voters to get water supply for their tank for the Kar crop as a special case provided they assured to vote for him in consideration thereof, that he requested the Collector to supply water to the Vijayanarayanam tank, and that at his request the Collector released water from Manimuthar dam in order to further his election prospects. He states that he does not know whether water was supplied to the Vijayanarayanam tank for the Kar season at all and that even if water had been supplied it should be presumed to have been done in the normal course and in accordance with law.

With reference to this charge the petitioner has examined P.W. 11, one Pool Udayar, a dealer in palmirah raftersandan agriculturist. He has deposed that on the first of March, 1977 he saw the respondent getting down from a car along with two others at Kuthukalasani Santhi in his village, that at that time the villagers represented to him that there is no water facility for irrigation and that if he brings water from Manimuthar dam for the Kar season they will vote for him, that the respondent then said that as he knows the Collector he will be able to bring water for the kar season from Manimuthar Dam if they assured him that they will vote for him and that the people agreed. Three days thereafter he saw the Collector, the engineers and the respondent coming to the tank and then the Collector assured the villagers that water will be let in the next day, and accordingly water was supplied to the tank. This witness is very categorical that water was supplied only for Vijayanarayanam tank for no other tank. He also says that he has volunteered to give evidence as he felt that the respondent has used his political influence to further his election prospects.

As regards this charge, the respondent has examined R.W. 6, R.W. 10 and R.W. 13. R.W. 6 is a member of the Indira Congress who was in charge of the election campaign in Vijayanarayanam village. He says that there is an association of ayacutdars called oppadi and that he is a member of the same. He has deposed that it is true that the villagers were anxious to get supply of water to the tank and the oppadi has been making representations in that respect, that on 23rd of February, 1977 water was actually supplied to Vijayanarayanam tank in pursuance of those representations, that water was supplied not only to Vijayanarayanam tank but also to other tanks at that time, that the respondent did

not visit the village during the election campaign and that water was supplied to the tank after the Collector and the engineers had inspected the tank in the course of their official duties. This witness has stated that P.W. 11 is not a resident of Vijayanarayanam but lives in Mahadevankulam. R.W. 10 has stated in his deposition that Vijayanarayanam tank receives, its supplies from Manimuthar system, that as per the entries in his diary Exhibit R. 10(f) on 23-2-1977 at 2 P.M. he along with the Executive Engineers, P.W.D., Tirunelveli Division visited the tank and during that visit gave instructions to the Executive Engineer to release Manimuthar water to the Vijayanarayanam tank from 24-2-1977, and that water must have been released the next day from the dam but it would have taken three days to reach Vijayanarayanam tank which is about 20 to 22 miles way from Manimuthar. He denies that the supply of water has been made contrary to the rules, regulations or standing orders, with the sole purpose of furthering the election prospects of the respondent. He denies that the respondent has anything to do with the supply of water from the Manimuthar tank to the Vijayanarayanam tank. He says that there are standing instructions from the Board of Revenue and the Government vesting in the Collector the discretion to supply water, that he ordered release of the water from the dam for safeguarding the existing crop and that there was a heavy rainfall on the 18th February 1977 in the catchment area of Tamarabarani system with which is linked to the Manimuthar system. He also says that not only this Vijayanarayanam tank was given supply but also many other tanks. To a specific question whether the respondent accompanied him during his visit to Vijayanarayanam he says that the respondent did not accompany him and that he was accompanied only by the Executive Engineer P.W.D., and other officials. R.W. 13 has denied that he ever visited Vijayanarayanam either in the last week of February or in the first week of March, 1977, that he ever met the villagers and assured them that he will get water supply to their tank from Manimuthar that he ever approached the Collector for release of water and that the Collector released water to the Vijayanarayanam tank at his instance. From the evidence of R.W. 10 it is clear that water has been supplied to the Vijayanarayanam tank in the end of February 1977. This is inconsistent with the evidence of P.W. 11 who refers to the visit of the respondent on first of March, 1977 and the visit of the Collector three or four days thereafter and the supply of water to the tank a few days thereafter. In this case the evidence of the Collector, R.W. 10 is supported by the entries in the diary maintained by him which shows that he visited Vijayanarayanam on 23-2-1977. If R.W. 10 had ordered release of water on 23-2-1977, water would have reached the tank in any event before the end of that month. Then there is no question of the villagers representing to the respondent to get water supply to their tank and the respondent promising to do so and the Collector visiting the tank in the first week of March, 1977. It is not in dispute that the tank in fact got the supply. The question is whether the supply was ordered by the Collector at the instance of the respondent. According to the Collector, R.W. 10, there were good rains on 18th of February, 1977 in the catchment area of Thamirabarani system with which Manimuthar Project was linked and therefore there was enough water in the Manimuthar dam for supply to the various tanks in the last week of February, 1977. Exhibit R. 22 which has been marked by consent, gives the water level particulars in Manimuthar Dam for the period 15-2-1977 to 19-3-1977. From those particulars it is seen that on 17-2-1977 the water level in the dam was 83.40 ft., the storage 249 M. Cft the inflow of water to the dam 24 cusecs, and the outflow 320 cusecs. On 18-2-1977, the water level was 84.50 feet, the storage 2517 M. Cft., the inflow was 1266 cusecs, and outflow 47 cusecs. Suddenly on 19-2-1977 the storage level has increased to 93.58 ft. the storage to 3226 M. Cft. the inflow to 8240 cusecs as against the outflow of 17 cusecs. This shows that there was good rain on 18-2-1977 and that as a result of that water level and the inflows increased since there was good inflow of water for a few days the water level went on increasing and on 26-2-1977 it was 97.71. ft. From the end of February, 1977 till 19-3-1977 there is a regular release of water of nearly 450 cusecs every day from the dam. Therefore the chart Exhibit R. 22 giving water level particulars shows that there was enough water in the Manimuthar Dam for supply to the various tanks. The said chart completely belies the case of the petitioner that the water was supplied from the Manimuthar dam to the Vijayanarayanam tank as a special case contrary to the regulations and standing orders. It is clear from Exh. R. 22 that the supply of water to

Vijayanarayana tank was not unusual or as a special case. There is no evidence providing nexus between the respondent and the supply of water to the Vijayanarayana tank except the sole testimony of P.W. 11 which in my view cannot be accepted as true. This issue is also answered in the negative and against the petitioner.

Then coming to issue No. 4 which covers the allegations made in paragraphs 9, 10, 11 and 11A. As mentioned already, the petitioner has made an endorsement on the election petition deleting paragraph 10. Therefore, we have to consider only the allegations made in paragraph 9, 11 and 11A. The allegations made in Paragraph 9 relates to the removal of the Congress (O) posters and the pasting of wall posters of the Congress candidate in Marakkalkurichi village and to the threat held out by the Collector and the police to the villagers if they do not vote for the Congress. The allegation of the petitioner in this regard is that at the instance of the respondent on 16-3-1977 the Collector of Tirunelveli, the Deputy Superintendent of Police, Nanguneri, the Deputy Inspector of Police Nanguneri along with Karuppiah Mooppanar, the Tamil Nadu Congress Committee President and Challapandian another important leader of the Tamil Nadu Congress Committee came to the village and removed the wall posters of the Congress (O) candidate and pasted the wall posters of the respondent in their place, and that this was done with a view to further the election prospects of the respondent. It is also alleged that from that day onwards the Police threatened with dire consequences if the villagers voted for the Congress (O) candidate. In the statement of particulars this charge has been very much elaborated and it is said that the Collector himself supervised the removal of the Congress (O) posters and pasting of the Indira Congress wall posters. Though there is no reference to the threat held out by the Collector in paragraph 9 of the election petition, in the statement of particulars it is stated that the Collector held out a threat to the people of the village that if they did not vote for the Congress he will set fire to the village. Though paragraph 9 does not refer to the Police taking some of the volunteers of the Congress (O) party to the Police station, the statement of particulars refers to such an incident. According to the learned counsel for the respondent the petitioner was merely asked to give particulars regarding the allegations already made in the election petition and not to set out fresh instances of corrupt practices.

The petitioner has examined P.W. 8 and P.W. 10 in support of the charge made in paragraph 9. P.W. 8 has deposed that he is the Secretary of the D.M.K. party in the Village, that there was an electoral alliance between the D.M.K. Party and the Congress (O) that worked for the Congress (O) in Tiruchendur constituency, that during the election campaign he was assured by the people in the village that they will vote for the Congress (O) that while so that respondent came to the village on 16-3-1977 at about 9.30 P.M. along with the Collector, Deputy Superintendent of Police, Nanguneri and S. Chellapandian and 14 or 15 police personnel, and that on that occasion the Collector warned the people not to vote for the Congress (O) but to vote for the Indira Congress and threatened the villagers that he will shoot them all if they did not act according to his instructions. He further deposed that the Collector then directed the volunteers of the Indira Congress to remove the Congress (O) wall posters and paste Indira Congress posters in their place that on the next day the District Superintendent of Police came to the village and took him and three others to the Police station where they were warned and let off. This witness admits that he is the Political opponent of the respondent and that though Chellapandian is a member of the Thevar Community he did not object to the Thevar community people being threatened with dire consequences by the Collector. P.Ws. 9 and 10 have also corroborated the evidence of P.W. 8. They also speak about the arrival of the Collector along with the respondent, Chellapandian and Karuppiah Mooppanar and the removal of the Congress (O) posters and the arrest of some leading people of Congress (O) party the next day and letting them off with a warning by the Nanguneri Police.

As against the above evidence we have the evidence of R.W. 3, R.W. 10 and R.W. 13 on the respondent's side. R.W. 3, Chellapandian has denied that he visited Marakkalkurichi along with the Collector and others on 16-3-1977 and stated that he was in fact at Tenkasi where the polling took place and returned to Palayamcottah only at about 10 P.M. He says that the incident referred to in paragraph 9 of the elec-

tion petition on 16-3-1977 at Marakkalkurichi village is totally false. In cross-examination, he says that he started from his house at palayamcottah at 5 A.M. to Tenkasi and other places and returned to Tirunelveli at about 10 or 10.30 P.M. R.W. 10 the Collector has deposed that he was not present at Marakkalkurichi on 16-3-1977 at 9 P.M. and that the incident alleged to have taken place that is not true. He denies the allegation contained in paragraph 9 as totally false and states that on 16-3-1977 he was throughout in Tirunelveli as he was the Returning Officer for the Tirunelveli Constituency which went into polls on 16-3-1977. He has also produced his diary Exhibit R. 10 and Exhibit R. 10(g) which corroborate his version that at 9 P.M. on 16-3-1977 he was at Tirunelveli attending to his duties Returning Officer by receiving ballot boxes from various places and securing them. R.W. 13, the respondent, denies his presence on 16-3-1977 at Marakkalkurichi and also the incident said to have taken place on that day. As already stated in paragraph 9 of the election petition it is merely stated that at the request of the respondent the Collector, District Superintendent of Police and others visited the village on 16-3-1977. There was no allegation that the respondent visited the village along with the Collector and others. But in the statement of particulars given, the petitioner has stated that the respondent came to the village accompanied by the Collector and the Deputy Superintendent of Police on 16-3-1977. This appears to be a later development just at the commencement of the trial. As there is no reference to the visit of the respondent to Marakkalkurichi village on 16-3-1977 in the original petition, I cannot accept the evidence now let in by the petitioner that the respondent also visited the village along with the Collector and others. Even otherwise, the evidence of P.W. 8 and P.W. 10 is quite artificial and unreliable there is no acceptable evidence on the side of the petitioner that the incident referred to in paragraph 9 at all took place as alleged.

In paragraph 11 of the election petition the petitioner has alleged that there was a dispute between the management of the village school at Peyanvilai and a teacher by name Nityanandam, that though the teacher was dismissed from service the educational authorities have directed his reinstatement, that the order of reinstatement was also confirmed by the High Court in a writ petition, that in this regard the management of the school as well as the villagers approached the respondent, when he came to the village for electioneering work, to see that the teacher is not reinstated, that the respondent promised to nullify the reinstatement order provided in consideration thereof the villagers vote for him and that the villagers promised to do so. It is also alleged that thereafter at the instance of the respondent the Chief Educational Officer visited the village on 27-2-1977 and told the villagers that if they vote for the respondent he would see that Nityanandam was not reinstated, that the Chief Educational Officer also got complaints from other teachers against Nityanandam by coercion and intimidation and that the villagers thereupon consented to vote for the respondent on bloc except one Parthiban, P.W. 14 who alone protested. According to the petitioner this amounted to a malpractice within the meaning of section 123 (1) (2) and (7) of the Act.

In paragraph 11-A the petitioner has alleged that the respondent gathered the inhabitants of Peyanvilai village at a meeting and forced them to take an oath that every voter in the village should vote for him only and no one in the village should serve as a polling agent for the Congress (O) and that if any one from the village votes or canvasses or acts as polling agent for the Congress (O) candidate he should be socially ostracised and ex-communicated and the services of the village barber and dhoby will be denied to him. According to the petitioner this will amount to a corrupt practice within the meaning of section 123(1) and (2) of the Act. In the statement of particulars the petitioner has stated that the respondent came to Peyanvilai village on 18-2-1977 at about 8 or 8.30 p.m. and met the prominent villagers and also the Correspondent of Primary school. On 20-2-1977 the respondent again visited the village at about 8.30 or 9 A.M. and came to the Primary school and called for a gathering of the villagers. All the villagers met at 9 or 9.30 A.M. and it is on that day the oath is said to have been taken by all the villagers that every voter in the village should vote for the respondent and none in the village should serve as a polling agent for the Congress (O) candidate. It is also said in the particulars that after 20-2-1977 Parthiban was socially ostracised by the villagers at the instance of the respondent.

The allegations contained in paragraphs 11 and 11-A have been denied by the respondent in paragraphs 20 and 21 of the counter statement. The respondent has stated that though he generally knew that there was a dispute between the management of the school and the teacher Nityanandam, he did not interest himself in that dispute, that he did not visit Peyanvilai village at any time during the election that it is totally false to say that he went for electioneering work in Peyanvilai village, that the villagers wanted him to see that the teacher is not reinstated, that he promised to nullify the order of reinstatement provided in consideration thereof the villagers promised to vote for him and that the villagers accordingly promised to vote for him. He had also denied that at his instance the Chief Educational Officer visited the village on 27-2-1977, that he had anything to do with the said visit, and that he obtained the assistance of the Chief Educational Officer in furtherance of his prospects in the election. As regards the allegations in paragraph 11-A of the election petition the respondent has again denied that he ever visited the village during the entire election campaign, that he did not call for a gathering of the inhabitants of the village and make them to take an oath that every voter in the village should vote for him and none in the village should act as a polling agent for the Congress (O) candidate, and that if any one from the village acts of words for the Congress (O) he will be socially ostracised. The respondent also denies that one Parthiban was socially ostracised or ex-communicated or that the services of the village barber and dhobi were denied to him at his instance.

In relation to this charge contained in paragraphs 11 and 11-A of the election petition, the petitioner has examined P.Ws. 14, 15, 16 and 18.

P.W. 14 is Parthiban who is said to have been ostracised and ex-communicated for having worked as a polling agent for the Congress (O) candidate. He says that he is a sympathiser of the Congress (O), that he was informed that on 18-2-1977 the respondent had visited the village and during that visit the elders of the village represented to him that the orders reinstating the teacher Nityanandam passed by the educational authorities should be arranged to be cancelled and that the respondent had assured them that he would visit the village on 20-2-1977. He further says that one Shanmugam came and told him that the respondent has come to the village, that therefore he went to the front side of the school where there was a crowd that in that gathering the respondent said that if the villagers promised to vote for him *on block* he will see that the teacher Nityanandam is not reinstated, and that all the villagers should take a pledge that they all will vote for him and that if anyone works for the Congress (O) he will immediately be ex-communicated from the village. The elders of the village agreed and accordingly resolved to vote for him and to see no one in the village works for the Congress (O) candidate. This witness says that he protected against the resolution and on his doing so he was asked to go out of the gathering and he came out. He says that on the next morning the village barber came and told him that according to the 'Ooratattupudu' he has been ex-communicated and therefore he should not purchase any articles in the local shop, that he cannot have the services of the dhoby and the barber, and that in fact thereafter nobody in the village talked to him. He says that even in the tea shop the shopkeeper refused to serve him tea. He says that he informed the Janata Party people about this ex-communication but no action was taken.

P.W. 15 is Nityanandam whose reinstatement was opposed by the villagers. He was the Headmaster of the primary school at Peyanvilai. He has deposed that the Chief Educational Officer ordered his reinstatement, that the management appealed to the Government, that the appeal was dismissed that thereafter the management filed writ petition No. 369 of 1975 before this Court for quashing the order of reinstatement, that even after the dismissal of the writ petition no action was taken for his reinstatement and that on 20-2-1977 one Sa. Ko. Adithan of Arumuganeri village told him that the respondent visited the village and the villagers assured that they will vote for him *on bloc* if the order of reinstatement is set aside, that on the evening of 27-2-1977 the same gentlemen met him and said that on that day morning the Chief Educational Officer came and all the villagers and teachers met him, that he also met another teacher Mrs. Violet who told him that the Chief Educational Officer got a statement from the teachers including her complaining against him. He has further deposed that he thereafter met one Subramania

Adithan belonging to the Congress (O) and told him that he heard from others as to what happened on 20-2-1977 and 27-2-1977. What all this witness says is hearsay. He is not personally aware as to what happened in Peyanvilai village either on 20-2-1977 or on 27-2-1977. This witness is residing in Arumuganeri and he did not come to Peyanvilai village on those two days. Therefore his evidence cannot throw any light in the case.

P.W. 16 is one Subramania Adithan. He is an Advocate practising at Tiruchendur. He says that P.W. 15 came and told him as to what happened on 20-2-1977 and 27-2-1977 in Peyanvilai village and therefore he sent a telegram to the Election Commissioner, Madras. He has produced the office copy of the telegram which has been marked as Exhibit P. 2. He says that the telegram was sent after P.W. 15 had met him and told him that the Ruling Congress candidate with the help of the Chief Educational Officer of Tirunelveli was canvassing votes in Peyanvilai village for the Ruling Congress. He has also deposed that P.W. 14 came and told him about his having been ex-communicated from the village and socially ostracised. The witness says that he was in charge of the election campaign in Tiruchendur block for Congress (O) Candidate Mr. Edwin Dewadasan, at that time, that Parthiban of Peyanvilai village, P.W. 14 came and told him on 23-2-1977 that the elders in Peyanvilai village are preventing him from doing election work for Congress (O), that they are also preventing him from pasting posters and slips, that on hearing this he told P.W. 14 that he would go to Peyanvilai village on the 26th of February, 1977, that accordingly he went to Peyanvilai village at about 10.30 A.M. in his car, that when himself and P.W. 14 were entering into the village the villagers told him that he will enter the village only at his own risk, and that as he felt that it is not safe to enter the village in that atmosphere he returned. This witness does not fully corroborate the evidence of P.W. 14. While P.W. 14 says that he informed him about his ex-communication and ostracisation, this witness says that P.W. 14 told him that the villagers are preventing him from doing election work for the Congress (O) and that they are also preventing him from pasting posters and slips. Apart from this lack of corroboration, if really P.W. 14 has complained to P.W. 16 that there has been undue influence and coercion by resorting to ex-communication and ostracisation from 20-2-1977 as a result of 'oorkattupadu' that should have been foremost in his mind and he would have mentioned it in the telegram Ext. P. 2 or would have sent similar telegram as Exhibit P. 2. Exhibit P. 2 merely refers to the Chief Educational Officer canvassing votes for the Ruling Congress in Peyanvilai village and there is no reference to the villagers of Peyanvilai resorting to undue influence and coercion at the instance of the respondent and preventing P.W. 14 and others from working for the Congress (O). It is true, P.W. 16 says that he was not allowed to enter the village in the usual manner by the villagers. But if that is really a fact he would have mentioned this also in the telegram. The witness is a practising advocate and he must know that ex-communication or ostracisation are very serious matters. Similarly the prevention of his entry into the village is also a serious matter. The witness would not have kept quiet if really those things happened. This witness, who says that he sent a telegram as soon as he heard about the visit of the Chief Educational Officer to the village on 27-2-1977 from Nityanandam, would not have kept quiet and shut his eyes if he had known that P.W. 14 has been ostracised or ex-communicated. In view of his protest against the resolve of the villagers to vote for the respondent or if he had in fact been prevented from entering the village during his election campaign. Therefore there is considerable difficulty in accepting the veracity of this witness. P.W. 18 is one. Balasubramaniam who is the present headmaster of the panchayat union school, Peyanvilai. In March, 1977 he was the headmaster and he says that the Chief Educational Officer, Tirunelveli sent a communication Exhibit P. 10 to him on 23-2-1977 stating that he would like to meet all the teachers, persons in the management of the school and prominent persons of the village on 27-2-1977. That in pursuance of that communication, all of them had assembled at the school on 27-2-1977, that the Chief Educational Officer asked the villagers and the committee members as to why they did not want Nityanandam to be reinstated in the school, that the villagers made several complaints against him, that the Chief Educational Officer then said that as he could not do anything without any written complaint they can put all their complaints in writing, that thereafter the committee members prepared a *mabazar* and gave it to the Chief Educational

Officer and that the villagers as well as the teachers also gave a mahazar to the Chief Educational Officer signed by all of them. This witness does not say that the Chief Educational Officer wanted the villagers to vote for the respondent. He merely speaks of the presence of the Chief Educational Officer in the village on 27-2-1977 and the receipt of mahazars both from the members of the committee as well as the villagers and teachers. This witness does not support the allegation made in the election petition that the Chief Educational Officer called upon the villagers to vote for the respondent. On the charge that at the instance of the respondent the Chief Educational Officer came to the village and told the villagers that if all of them vote for the respondent he will see that the order of reinstatement is not given effect to has not been spoken to by anyone. P.W. 14 merely says that he saw a crowd in the school on 27-2-1977 and did not say anything as to what happened during that visit. P.W. 15 is Nityanandam and he had no personal knowledge as to what happened during the visit of the Chief Educational Officer to the village. Whatever he has stated is hearsay. P.W. 16 came to know about the visit of the Chief Educational Officer only through P.W. 15. P.W. 18 is the only person who was present during the visit of the Chief Educational Officer to the School and no question has been put to him on behalf of the petitioner as to whether the Chief Educational Officer canvassed votes for the respondent. Therefore the allegation that the Chief Educational Officer canvassed votes for the respondent on the assurance that the teacher Nityanandam will not be reinstated in the school has not been proved at all. Even on the question of coercion and undue influence referred to in paragraph 11-A of the election petition I must say that the evidence adduced on the side of the petitioner is quite unacceptable. On that question the evidence of P.W. 14 and P.W. 16 is quite unconvincing. The election petition proceeds on the basis that P.W. 14 has been ex-communicated and ostracised for his having acted as a polling agent for the Congress (O) candidate. But in the evidence before the court P.W. 14 says that he has been ex-communicated and ostracised for the protest he has made in the gathering on 20-2-1977. On 20-2-1977 he was not appointed as an election agent and that would have been done just on the eve of the election which was on 19-3-1977. Therefore there is a clear variation between the allegations made in the election petition and the evidence actually adduced before the court on this matter. P.W. 16 also does not say that P.W. 14 has been ex-communicated or ostracised for anything done by him during the election campaign. He has merely said that people have been preventing P.W. 14 from working for the Congress (O) candidate. If really P.W. 14 has been ex-communicated and ostracised as alleged by him, P.W. 16 to whom the matter is said to have been reported would not have kept quiet without making a complaint to the Election Commissioner or to the police or to the persons higher-up in the Congress (O) Party. The fact that nothing has been done till date indicates that the said allegation cannot be true.

The respondent has examined R.W. 11 and R.W. 12 in support of his case that no meeting took place on 20-2-1977 at Peyanvilai village and that P.W. 14 was not in fact ex-communicated or ostracised. R.W. 11 is one Lakshmanu Nadar who is running a tea stall in the village. He says that P.W. 14 is the son of his cousin, that there was no ex-communication or ostracization as alleged by him, that he never refused to serve tea to him in his stall as alleged, that he was coming and taking tea as usual, and that he and his brother were supplying milk to his tea hotel at the relevant time. R.W. 12, one Shanmugam has deposed that on 20-2-1977 he was on duty in Dharangadara Chemicals Limited from 6 A.M. to 2 P.M. and that it is false to say that he was at Peyanvilai village at about 9 A.M. and was asked to call P.W. 14 for the meeting to be held in front of the school on 20-2-1977. He has also produced a certificate Exhibit R. 21 from his employer to substantiate his plea that he was on duty from 6 A.M. to 2 P.M. on 20-2-1977. The evidence of this witness goes to show that he was not there in the village when the alleged meeting of the villagers took place on 20-2-1977. It is said that it is only in that meeting all people took an oath that all of them will vote for the respondent and no one will work or vote for the Congress (O) candidate. Apart from this there is another significant circumstance to be noted. Apart from P.W. 14 there are other persons in the village belonging to the other parties. He himself had mentioned a few names who belong to other parties. He also admits that some of the villagers belonging to the other parties were also present at the gathering on 20-2-1977. If really such a resolution was passed, they would

not have been willing parties to that resolution. They would have also protested as P.W. 14 is said to have done. I cannot see any reason why some of the villagers who belonged to the other parties would have kept quiet and submitted to the decision imposed upon them by the other villagers at the instance of the respondent. R.W. 13 specifically denies that he ever visited the village during the election campaign, that he intervened in the dispute between the management and Nityanandam, that he ever knew the Chief Educational Officer at all, that there was any bargain between him and the villagers with reference to that dispute, that there was in fact any meeting on 20-2-1977 as alleged by the petitioner that he ever knew Parthiban, P.W. 14 at all, and that he was a party to any resolution said to have been passed on 20-2-1977 as alleged by the election petitioner. Considering the evidence adduced by both the parties in this regard, I have no hesitation in holding that the charges levelled therein have not been proved. This issue is also therefore answered in the negative and against the petitioner.

Issue No. 5 does not arise as paragraphs 12 and 13 dealing with election expenses have been deleted.

Issue No. 6: In the counter statement filed by the respondent it has been stated that the election petition is bereft of any particulars and therefore the petition is liable to be dismissed for non-compliance with the provisions of section 83 of the Act. In addition to raising the said objections in the counter statement the respondent has in fact filed Application No. 691 of 1978 for striking down some of the paragraphs of bereft of necessary and material particulars. Only after the filing of the said application by the respondent, the petitioner made an endorsement that paragraphs 10, 12 and 13 may be struck off and accordingly these paragraphs have been struck off. Even as regards the other paragraphs, the respondent's case is that the charges of corrupt practices levelled against him by the petitioner in paragraphs 6, 7, 8, 9, 11 and 11A are vague and not supported by any factual particulars and therefore they have to be struck off. But as already stated, at the request of the petitioner he was permitted to file the particulars before the trial commenced and the petitioner filed a statement of particulars just at the commencement of the trial. The statement of particulars filed by the petitioner not only elaborate the charges of corrupt practices but also give fresh heads of corrupt practices. As the petitioner cannot be allowed to bring in fresh heads of corrupt practices, I have not permitted the petitioner to let in evidence on those fresh allegations contained in the statement of particulars. Now that both the petitioner and the respondent have been allowed to let in evidence on the charges contained in paragraphs 6, 7, 8, 9, 11 and 11A as amplified by the details given by the petitioner in the statement of particulars, I do not think that the election petition is liable to be dismissed on the ground of want of particulars or cause of action under the provisions of section 83 of the Act.

Section 83 deals with contents of an election petition. It says that an election petition (a) shall contain a concise statement of the material facts on which the petitioner relies,

(b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and the place of the commission of each such practice and

(c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908) for the verification of pleadings.

The proviso to that section says that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit in the prescribed form in support of the allegation of such corrupt practice and the particulars thereof. In this case, since the petitioner has alleged very many instances of corrupt practices, he must have set forth full particulars including the date and place on the commission of each such practice and the names of the parties alleged to have committed such corrupt practice. Dealing with the scope of section 83(1)(b) the Supreme Court has pointed out in *MANUBHAI-V-POPATLAL* (A.I.R. 1969 S.C. 734) that section 83(1)(b) is mandatory, that where a corrupt practice is charged against the returned candidate the election petition must set forth full particulars of the corrupt practice so as to give the charge a definite character and to enable the Court to understand what the charge is, that the charge must be substantially proved as laid and evidence

cannot be allowed to be given in respect of a charge not disclosed in the particulars. In the same decision it has been pointed out that the Court has got the power to allow an amendment even after the commencement of the trial for giving the necessary particulars of corrupt practices if in exceptional cases where the petitioner could not with reasonable diligence have discovered the new facts earlier. In **HARDWARI LAL v KANWAL SINGH** (A.I.R. 1972 S.C. 515) it was pointed out that an election petition which merely alleges corrupt practice against successful candidate of obtaining and procuring or attempting to obtain and procure the assistance of certain named Government servants for the furtherance of the prospects of his election without giving the material facts and the necessary particulars as to the nature of the assistance, the time and place where it was sought from each of the persons mentioned, does not furnish any cause of action and that such an election petition is no election petition at all in the eye of law, and as such it cannot be maintained.

Issue No. 7 : Having regard to the findings on the proceeding issues I have to hold that the corrupt practices alleged against the respondent by the election petitioner have not been proved. Hence the election petition fails and is dismissed with costs which I fix at Rs. 2000 (Rupees two thousand only).

(Itd) G.R.

24-4-1978

Sd. /-

K. S. NATARAJAN,

Second Assistant Registrar

(O. S.)

[No. 82/(TN/3/77)/78/3254]

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 20 अक्टूबर, 1978

का० प्रा० 57.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए तमिल नाडु लोक सभा के लिए साधारण निर्वाचन के लिए 2-मद्रास केन्द्रीय संसदीय निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार डॉ० पोरबेलवी उर्फ शांशू बजाज, 28/1, रंडलस रोड, वेपेरी, मद्रास-7 तमिल-नाडु, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रस्तावित नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त डॉ० पोरबेलवी उर्फ शांशू बजाज को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है ।

[सं० त० न० लो०स०/2/77(1)/2999]

ORDER

New Delhi, the 20th October, 1978

S.O. 57.—Whereas the Election Commission is satisfied that Dr. Porchelvi alias Sheelu Bajaj, 28/1, Randalls Road, Vepery, Madras-7 (Tamil Nadu), a contesting candidate for election to the House of the People from 2-Madras Central parliamentary constituency, held in March, 1977 has failed to lodge any account of her election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that she has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Dr. Porchelvi alias Sheelu Bajaj to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-HP/2/77(1)/2999]

आदेश

नई दिल्ली, 24 अक्टूबर, 1978

का० प्रा० 58.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए तमिल नाडु विधान सभा के लिये साधारण निर्वाचन के लिए 54-गिंगी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री ए० एस० बशीर, पुत्र सैयद अहमद, सं० 70, साथीरा स्ट्रीट, गिंगी तालुक, जिला साकुर अरकोट (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रस्तावित नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री ए० एस० बशीर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है ।

[सं० त० न०-वि०स०/54/77(1)/2998]

ORDER

New Delhi, the 24th October, 1978

S.O. 58.—Whereas the Election Commission is satisfied that Shri A. S. Basheer, S/o Syed Ahmed, No. 70, Sathira Street, Gingee Taluk, South Arcot District (Tamil Nadu), a contesting candidate for election to the Tamil Nadu Legislative Assembly from 54-Gingee constituency held in June, 1977 has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951, and the rules made thereunder ;

And whereas the said candidate, even after the notice has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri A. S. Basheer to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-IA/54/77(1)/2998]

आदेश

नई दिल्ली, 2 नवम्बर, 1978

का० प्रा० 59.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिये साधारण निर्वाचन के लिये 46-इंगलिश बाजार निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री एस० के० मैननान, गांव चासपारा, पो०ओ० गोयेश्वरी, जिला मालदा पश्चिमी बंगाल लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए,

गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्पत्क सूचना दिये जाने पर भी, अपनी इस असफलता के लिये कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री एस० के० मन्नान को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है ।

[सं० प०ब०-वि० सं०/46/77(3)/3399]

ORDER

New Delhi, the 2nd November, 1978

S.O. 59.—Whereas the Election Commission is satisfied that Shri Mannan SK., Village Chaspara, P.O. Goyeshbari, District Malda, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 46-English bazar assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Mannan SK., to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/46/77(3)/3399]

आदेश

क्र० प्र० 60.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिये साधारण निर्वाचन के लिये 46-इंगलिश बाजार निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री शेख अयूब, कृष्ण जीवन सन्याल रोड, गाँव और डाकघर मोरशाही, पी० एस० काबाचबस, जिला माल्दा वर्तमान पता मार्फत जाहीर मिस्त्री, पी० ओ० माल्दा, जिला माल्दा, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ।

और, यतः, उक्त उम्मीदवार ने, उसे सम्पत्क सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री शेख अयूब को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है ।

[सं० प०ब०-वि० सं०/46/77(2)/3398]

ORDER

S.O. 60.—Whereas the Election Commission is satisfied that Shri Shaikh Ayub, Krishna Jiban Sanyal Road, C/o Jahir Village & P.O. Shershabhi, P. S. Kalia Chak, District Malda Present address. Mistri, P.O. Malda, District Malda,

a contesting candidate for general election to the West Bengal Legislative Assembly from 46-English bazar Assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Shaikh Ayub, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/46/77(2)/3398]

आदेश

क्र० प्र० 61.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिये साधारण निर्वाचन के लिये 46-इंगलिश बाजार निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री मदन मोहन चौधरी, ग्राम काजीग्राम, डाकघर मादापुर, जिला माल्दा, पश्चिमी बंगाल लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्पत्क सूचना दिये जाने पर भी, अपनी इस असफलता के लिये कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री मदन मोहन चौधरी को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है ।

[सं० प०ब०-वि० सं०/46/77(1)/3397]

ORDER

S.O. 61.—Whereas the Election Commission is satisfied that Shri Madan Mohan Choudhury, Village Kazi gram, P.O. Madapur, District Malda, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 46-English-bazar assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Madan Mohan Choudhury, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/46/77(i)/3397]

आदेश

नई दिल्ली, 23 नवम्बर, 1978

क्र० प्र० 62.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी 1978 में हुए महाराष्ट्र विधान सभा के लिये साधारण निर्वाचन के लिये 278-इचलकराजी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री चक्राण रघुनाथ शानू, मु पो० माणगांव, तह० ज्ञानकणंगले, जिला कोल्हापुर

महाराष्ट्र, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचनायें दिये जाने पर भी, अपनी इस असफलता का कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री चव्हाण रघुनाथ जानू को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है।

[सं० महा० वि० सं०/278/78(1)/3085]

ORDER

New Delhi, the 23rd November, 1978

S.O. 62.—Whereas the Election Commission is satisfied that Shri Chavan Raghunath Dnyanu, At & Post Managaon, Hatkanangale Taluka, Kolhapur-District, Maharashtra a contesting candidate for General Election to the Maharashtra Legislative Assembly held in February, 1978 from 278-Inchalkaranji constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Chavan Raghunath Dnyanu to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/278/78(1)/3085]

आदेश

का० प्रा० 63.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिये साधारण निर्वाचन के लिये 250-मवासी पेट निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जगतान दत्तात्रय विठ्ठल राव, 156, मंगलवार पेट, पुणे-11, महाराष्ट्र, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचनायें दिये जाने पर भी, अपनी इस असफलता का कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री जगतान दत्तात्रय विठ्ठल राव को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है।

[सं० महा० वि० सं०/250/78(2)/3058]

ORDER

S.O. 63.—Whereas the Election Commission is satisfied that Shri Jagtan Dattatraya Vithalrao, 156-Mangalwar Peth, Pune-11, Maharashtra a contesting candidate for General

Election to the Maharashtra Legislative Assembly held in February, 1978 from 250-Bhawani Peth constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jagtan Dattatraya Vithalrao to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/250/78(2)/3058]

आदेश

का० प्रा० 64.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिये साधारण निर्वाचन के लिये 274-खानापूर अतपादी निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री कांबले कृष्णाजी नारायण, मु० पो० करगणी, त० अतपादी, महाराष्ट्र, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचनायें दिये जाने पर भी, अपनी इस असफलता का कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री कांबले कृष्णाजी नारायण को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है।

[सं० महा० वि० सं०/274/78(3)/2875]

ORDER

S.O. 64.—Whereas the Election Commission is satisfied that Shri Kamble Krishnaji Narayan, At & Post Karagani, Atpadi Taluk, Maharashtra, a contesting candidate for general election to the Legislative Assembly held in February, 1978 from 274-Khanapur constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Kamble Krishnaji Narayan to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/274/78(3)/2875]

आदेश

नई दिल्ली, 24 नवम्बर, 1978

का० प्रा० 65.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 268-शिरासा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री पार्टील हकीम राव कृष्ण मु० पो० मेहेनिपार्णा, ता० वालजा,

महाराष्ट्र, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तबधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचनायें दिये जाने पर भी अपनी इस असफलता का कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री पाटील हम्मीर राव कृष्ण को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा प्रथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० महा०-वि० सं०/268/78(5)/2877]

ORDER

New Delhi, the 24th November, 1978

S.O. 65.—Whereas the Election Commission is satisfied that Shri Patil Hambirrao Krishna, At & Post Yednipani, Walwa Taluk, Maharashtra, a contesting candidate for general election to the Maharashtra Legislative Assembly held in February, 1978 from 268-Shirala constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Patil Hambirrao Krishna to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/268/78(5)/2877]

आदेश

का० प्रा० 65.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 273-तास गांव निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री खाडे शिर्क बाबाजी, घर नं० 174, मु० पो० बकाधे, ता० तामगाव, महाराष्ट्र, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तबधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचनायें दिये जाने पर भी, अपनी इस असफलता का कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री खाडे शिर्क बाबाजी को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा प्रथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० महा०-वि० सं०/273/78(4)/2876]

ORDER

S.O. 66.—Whereas the Election Commission is satisfied that Shri Khade Shikru Babaji, House No. 174, At &

Post Vakathe, Tasgaon Taluk Maharashtra, a contesting candidate for general election to the Maharashtra Legislative Assembly held in February, 1978 from 273-Tasgaon constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Khade Shikru Babaji to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/273/78(4)/2876]

आदेश

नई दिल्ली, 26 नवम्बर 1978

का० प्रा० 67.—यतः, निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 251-पुणे कन्टोनमेंट निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री चावण चन्द्रकान्त नारायण, 1389/6, भीमपुरा फुले, कैम्प, पुणे-1, महाराष्ट्र, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तबधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः उक्त उम्मीदवार का पता मालूम न होने के कारण सूचना की तामील उस पर नहीं हो सकी है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री चावण चन्द्रकान्त नारायण को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा प्रथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० महा०-वि० सं०/251/78(6)/3061]

ORDER

New Delhi, the 27th November, 1978

S.O. 67.—Whereas the Election Commission is satisfied that Shri Chavan Chandrakant Narayan, 1389/6 Bhimpuraphule Camp, Pune-1, Maharashtra a contesting candidate for General Election to the Maharashtra Legislative Assembly held in February, 1978 from 251-Pune Cantonment constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the notice could not be served on the candidate as the where abouts of the candidate are not known and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Chavan Chandrakant Narayan to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/251/78(6)/3061]

आदेश

नई दिल्ली, 14 दिसम्बर, 1978

का० प्रा० 68.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1978 में हुए पंजाब विधान-सभा के लिए साधारण निर्वाचन

के लिए 70-बनुर निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री कुलदीप सिंह, ग्राम नाभा, डा० दिवालीपुरा मोड़ियां, महमूल राजपुरा, जिला पटियाला (पंजाब) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित समय के अंदर तथा रीति में अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार द्वारा दिये गये अभ्यावेदन पर विचार करने के पश्चात् निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री कुलदीप सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि० सं०/70/77/3402]

ORDER

New Delhi, the 14th December, 1978

S.O. 68.—Whereas the Election Commission is satisfied that Shri Kuldip Singh, Village Nabha, P.O. Dialpura Sodhian, Tahsil Rajpura, District Patiala (Punjab) a contesting candidate for general election to the Punjab Legislative Assembly held in June 1977 from 70-Banur constituency, has failed to lodge an account of his election expenses within the time and in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas, after considering the representation made by the said candidate, the Election Commission is further satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Kuldip Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/70/77/3402]

आदेश

नई दिल्ली, 22 दिसम्बर 1978

का०प्रा० 69.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए 111-भटिंडा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री मदनलाल, मकान नं० 2429, कोर्ट रोड, भटिंडा (पंजाब) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, सम्यक सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री मदनलाल को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० पंजाब-वि० सं०/111/77]

वी० नागसुब्रमण्यम, सचिव

ORDER

New Delhi, the 22nd December, 1978

S.O. 69.—Whereas the Election Commission is satisfied that Shri Madan Lal, House No. 2429, Court Road, Bhatinda (Punjab) a contesting candidate for general election to the Punjab Legislative Assembly held in June, 1977 from 111-Bhatinda constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure ;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Madan Lal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/111/77]

V. NAGASUBRAMANIAN, Secy.

आदेश

नई दिल्ली, 27 दिसम्बर 1978

का०प्रा० 70.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून 1977 में हुए पश्चिमी बंगाल विधान सभा के लिए साधारण निर्वाचन के लिए 43-रतुआ सभा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री उरांव बिरसाराम मंडल, गांव ब डाक घर कन्दारन, जिला मालदा-पश्चिमी बंगाल लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री उरांव बिरसाराम मंडल को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० प०-बंगाल-वि० सं०/43/77/3207]

ORDER

New Delhi, the 27th October, 1978

S.O. 70.—Whereas the Election Commission is satisfied that Shri Oraon Birsaram Mondal, Village & P.O. Kandaran, District Malda, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 43-Ratua assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the people Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Oraon Birsaram Mondal, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/43/77/3207]

आदेश

का०जा० 71.—यतः, निर्वाचन आयोग का समाधान हो गया है कि जून, 1977 में हुए पश्चिमी बंगाल विधान सभा के लिए साधारण निर्वाचन के लिए 43-रतुआ सभा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जगन्नाथ प्रसाद साहा, गाँव बेजपुरा, डाकघर मल्लिकान, जिला माल्दा, पश्चिमी बंगाल, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः उक्त उम्मीदवार ने, उसे सम्पन्न सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री जगन्नाथ प्रसाद साहा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० प० मं०-वि०सं०/43/77/3206]

टी० नागरथनम, सचिव

ORDER

S.O. 71.—Whereas the Election Commission is satisfied that Shri Jagannath Prosad Saha, Village Bejpura, P. O. Malikan, District Malda, West Bengal, a contesting candidate for general election to the West Bengal Legislative Assembly from 43-Ratua assembly constituency, held in June, 1977, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jagannath Prosad Saha to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-LA/43/77/3206]

T. NAGARATHNAM, Secy.

आदेश

नई दिल्ली, 6 दिसम्बर, 1978

का०जा० 72.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 242-खेड आसंबी निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री बौडकर विठ्ठलराव केरुजा, कन्हेरसर, तालुक खेड, महाराष्ट्र लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्पन्न सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री बौडकर विठ्ठलराव केरुजा को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० मं० वि० मं०/242/78(8)]

ORDER

New Delhi, the 6th December, 1978

S.O. 72.—Whereas the Election Commission is satisfied that Shri Daundkar Vithalrao Keruji, Kanhersar, Khed Taluk, Maharashtra, a contesting candidate for General Election to the Maharashtra Legislative Assembly held in February, 1978 242-Khed Alandi constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Daundkar Vithalrao Keruji to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/242/78 (8)]

आदेश

नई दिल्ली, 7 दिसम्बर, 1978

का०जा० 73.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 67-नासिक निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री लोनारी विनास मुरलीधर, मेघदूत, पटेल रोड, नासिक लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं ;

और यतः उक्त उम्मीदवार ने, उसे सम्पन्न सूचना दिये जाने पर अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री लोनारी विनास मुरलीधर को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० महा-वि०सं०/67/78(10)]

ORDER

New Delhi, the 7th December, 1978

S.O. 73.—Whereas the Election Commission is satisfied that Shri Lonari Vilas Murlidhar, Meghdoot, Patel Road, Nasik, a contesting candidate for General Election to the Maharashtra Legislative Assembly held in February, 1978 from 67-Nasik constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the said Shri Lonari Vilas Murlidhar to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/67/78(10)]

आदेश

नई दिल्ली, 15 दिसम्बर, 1978

का०जा० 74.—यतः निर्वाचन आयोग का समाधान हो गया है कि फरवरी, 1978 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 84-प्रकरानी (ग्र०ज०जा०) निर्वाचन क्षेत्र से चुनाव लड़ने वाले

उम्मीदवार श्री चव्हाण, हासरा बासरा जाम, पोस्ट जावदे तर्फ हवेली, तालुका शहादा, जिला धुलिया लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का लेखा वांछित करने में असफल रहे हैं ;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीचित्य नहीं है ;

अतः अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री चव्हाण हासरा बासरा को संभव के किसी भी सचन के या किसी राज्य की विधान-सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं० महा-वि०सं०/84/78 (23)]
बी० नागसुब्रमण्यन, सचिव

ORDER

New Delhi, the 15th December, 1978

S.O. 74.—Whereas the Election Commission is satisfied that Shri Chavan Hasara Basara, at Jam, Post Javade, T.H. Taluka Shahada District Dhule, a contesting candidate for General Election to the Maharashtra Legislative Assembly held in February, 1978 from 84-Akrani Constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder ;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure.

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Chavan Hasara Basara to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/84/78 (23)]

ERRATA

New Delhi, the 3rd January, 1979

S.O. 75.—In Commission's Notification No. 100/BR-HP/1/78 (Bye) dated 16th November, 1978, published under S.O. No. 647(E) in No. 505, Extraordinary issue of the Government of India Gazette, Part II Section 3(ii), dated 16th November, 1978, in English version thereof as published at page 1423 in Column 4 against Tarkeshwari Sinha at Serial No. 9 for the word "And" read the word "Hand".

[No. 100/BR-HP/1/78 (Bye)/183]
V. NAGASUBRAMANIAN, Secy.

गृह मंत्रालय

(भारत के महापंजीकार का कार्यालय)

नई दिल्ली, 28 दिसम्बर, 1978

का० जा० 76.—जन्म तथा मृत्यु रजिस्ट्रीकरण अधिनियम, 1969 (1969 का 18) की धारा 1 की उप-धारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा 1 मार्च, 1979 को ऐसी तारीख के रूप में नियत करती है जिसको उक्त अधिनियम पंजिबेरी के सम्पूर्ण संघ शासित क्षेत्र में प्रवृत्त होगा ।

[सं० 1-1(ई० एन० एफ०)/72-ज०म०ना०]

पी० पद्मनाभ, महापंजीकार एवं जनगणना आयुक्त

MINISTRY OF HOME AFFAIRS

(Office of the Registrar General and Census Commission)

New Delhi, the 28th December, 1978

S.O. 76.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Registration of Births and Deaths Act, 1969 (18 of 1969), the Central Government hereby appoints the first day of March 1979 as the date on which the said Act shall come into force in the whole of the Union Territory of Pondicherry.

[No. 1-1(Enf.)/72-VS]

P. PADMANABHA, Registrar General and Census Commissioner

(राजभाषा विभाग)

नई दिल्ली, 28 दिसम्बर, 1978

का० जा० 77.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में निम्नलिखित विभागों को जिनके कर्मचारी वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. इस्पात और खान मंत्रालय (खान विभाग)
2. समाज कल्याण विभाग
3. पेट्रोलियम, रसायन और उर्वरक मंत्रालय (रसायन और उर्वरक विभाग)
4. रक्षा मंत्रालय

[संख्या 12022/1/78-रा० ना०(ख-2)]

हृद्विभाजक सचिव, उप सचिव

(Department of Official Language)

New Delhi, the 28th December, 1978

S.O. 77.—In pursuance of Sub-rule (4) of rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following Departments, the staff whereof have acquired the working knowledge of Hindi :—

1. Ministry of Steel and Mines (Department of Mines)
2. Department of Social Welfare.
3. Ministry of Petroleum, Chemical & Fertilizer (Department of Chemical and Fertilizer).
4. Ministry of Defence.

[No. 12022/1/78-O.L.(B-2)]

H. B. KANSAL, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 18 सितम्बर, 1978

आय-कर

का० जा० 78.—आयकर अधिनियम, 1961 (1961 का 43) का धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में केन्द्रीय सरकार, एतद्वारा श्री बी० डी० मुखर्जी तथा श्री एस० के० बनर्जी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना श्री एस० के० बनर्जी और श्री बी० डी० मुखर्जी के कर वसूली अधिकारी के रूप में कार्यभार संभालने की तारीख से लागू होगी ।

[सं० 2507/का० सं० 404/57/77-आई०टी०सी०सी०]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 18th September, 1978

INCOME TAX

S.O. 78.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises S/Shri B. D. Mukherjee and S. K. Banerjee being Gagged Officers of the Central Government, to exercise the powers of Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date S/Shri S. K. Banerjee and B. D. Mukherjee takes over charge as Tax Recovery Officer.

[No. 2507/F. No. 404/57/77-ITCC]

का० प्र० 79.—प्रायःकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत सरकार के राजस्व विभाग की विनांक 18-10-77 की अधिसूचना सं० 2019 (फा० सं० 404/57/77-आई० टी० सी०) में निम्नलिखित संशोधन करती है:—“उसी अधिसूचना में, मन्मथ एन० मजूमदार, सूर्य कान्त दास, अतुल चौधरी डे, शान्ति कुमार बनर्जी, मणिमय मुखर्जी, नारायण चौधरी मजूमदार, प्रशोक मैत्री, विमल चटर्जी, सत्यव्रत घोष, सोमेश चौधरी चटर्जी, सुनील कुमार मित्र, सत्येन्द्रनाथ राय, सीतांगु शेखर मोयला, एस० मुखर्जी, जे० एन० हुसैन” शब्दों तथा अक्षरों के स्थान पर “मन्मथ एन० मजूमदार, सूर्य कान्त दास, अतुल चौधरी डे, शान्ति कुमार बनर्जी, मणिमय मुखर्जी, नारायण चौधरी मजूमदार, प्रशोक मैत्री, विमल भट्टाचार्य, सत्यव्रत घोष, सुनील कुमार मित्र, सत्येन्द्रनाथ-राय, सीतांगु शेखर मोयला, एस० मुखर्जी, जे० एन० हुसैन” शब्द एवं अक्षर प्रतिस्थापित किए जायेंगे।

[सं० 2508 (फा० सं० 404/57/77-आई० टी० सी० सी०)]

S.O. 79.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following amendment in the notification of the Government of India in the Department of Revenue No. 2019 (F. No. 404/57/77-ITCC) dated 18-10-77 in the same notification for the words and letters “Manmatha N. Mazumdar, Surya Kanta Das, Atul Ch. Dev, Santi Kumar Banerjee, Manimoy Mukherjee, Narayan Ch. Mazumdar, Ashok Maity, Bimal Bhattacharjee, Satyabrata Ghosh, Somesh Ch. Chatterjee, Sunil Kumar Mitra, Satyandranath Roy, Sitangshu Sekhar Moitra, S. Mukherjee, J.N. Halder.” the words and letters “Manmatha N. Mazumdar, Surya Kanta Das, Atul Ch. Dev, Santi Kumar Banerjee, Manimoy Mukherjee, Narayan Ch. Mazumdar, Ashok Maity, Bimal Bhattacharjee, Satyabrata Ghosh, Sunil Kumar Mitra, Satyandranath Roy, Sitangshu Shekhar Moitra, S. Mukherjee, J. N. Halder” shall be substituted.

[No. 2508 (F. No. 404/57/77-ITCC)]

का० प्र० 80.—प्रायःकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में, केन्द्रीय सरकार एतद्वारा भारत सरकार के राजस्व विभाग की विनांक 27-4-78 की अधिसूचना सं० 2281 (फा० सं० 404/57/77-आ० का० सं० क०) में निम्नलिखित संशोधन करती है:—

“श्री त्रिदिने भौमिक, श्री पावती शंकर मिश्र, श्री प्रेमोणु कुमार सेन गुप्त, श्री श्याम मोहन मजूमदार, श्री विलियम कुमार बनर्जी, श्री निर्मल कुमार मुखर्जी, श्री डी० के० निह्वा, श्री पी० डी० शर्मा, श्री प्रो० पी० सक्सेना तथा श्री सुविमल राय” अक्षरों व शब्दों के स्थान पर “श्री त्रिदिने भौमिक, श्री पावती शंकर मिश्र, श्री प्रेमोणु कुमार सेन गुप्त, श्री श्याम मोहन मजूमदार, श्री विलियम कुमार बनर्जी, श्री निर्मल कुमार मुखर्जी, श्री डी० के० निह्वा, श्री पी० डी० शर्मा, श्री प्रो० पी० सक्सेना तथा श्री डी० मुखर्जी” शब्दों तथा अक्षरों का प्रतिस्थापित किया जाएगा।

[सं० 2509 फा० 404/57/77-आ० का० सं० क०]

S.O. 80.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following amend-

ment in the notification of the Government of India in the Department of Revenue No. 2281 (F. No. 404/57/77-ITCC) dated 27-4-78 in the said notification for the letters and words “Sarvashri Tridile Bhoromick, Parbati Sankar Mitra, Premangshu Kr. Sen Gupta, Syam Mohan Mazumdar, Dilip Kr. Banerjee, Nirmal Kr. Mukherjee, D. K. Sinha, P. D. Sharma, O. P. Saxena and Subimal Roy” the words and letters “Sarvashri Tridile Bhowmick, Parbati Sankar Mitra, Premangshu Kr. Sen Gupta, Syam Mohan Majumdar, Dilip Kr. Banerjee, Nirmal Kr. Mukherjee, D.K. Sinha, P.D. Sharma, O.P. Saxena and B.D. Mukherjee” shall be substituted.

[No. 2509 (F. No. 404/57/77-ITCC)]

नई दिल्ली, 8 नवम्बर, 1978

का० प्र० 81.—प्रायःकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में और भारत सरकार के राजस्व और बैंकिंग विभाग की विनांक 14-7-1978 की अधिसूचना सं० 1390 (फा० सं० 404/154/76-आई० टी० सी० सी०) के अधिवर्धन में, केन्द्रीय सरकार एतद्वारा, श्री ए० सी० सेठी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री ए० सी० सेठी के कर-वसूली अधिकारी के रूप में कार्य-भार सम्भालने की तारीख से लागू होगी।

[सं० 2574 (फा० सं० 404/101/78-आई० टी० सी० सी०)]

एच० वेंकटरामन्, उप सचिव

New Delhi, the 8th November, 1978

S.O. 81.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of the Notification of the Government of India in the Department of Revenue and Banking No. 1390 (F. No. 404/154/76-ITCC) dated 14-7-1978 the Central Government hereby authorises Shri A.C. Sethi being a gazetted officer of the Central Government, to exercise the powers of Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri A.C. Sethi takes over charge as Tax Recovery Officer.

[No. 2574 (F. No. 404/101/78-ITCC)]

H. VENKATARAMAN, Dy. Secy.

प्रादेश

नई दिल्ली, 26 दिसम्बर, 1978

स्टाम्प

का० प्र० 82.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा भारतीय औद्योगिक बैंक, बम्बई को, प्रोमिसरी नोटों के रूप में उक्त भारतीय औद्योगिक विकास बैंक द्वारा जारी किये जाने वाले छिहत्तर करोड़, नित्यान्वये लाख रुपये के अंकित मूल्य के भारतीय औद्योगिक विकास बैंक के बंध पत्र 1986 (सातवीं शृंखला) तथा 1987 (आठवीं शृंखला) के 6 प्रतिशत पर स्टाम्प शुल्क के रूप में प्रसार्य केवल छिहत्तर लाख नित्यान्वये हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है।

[सं० 31/78-स्टाम्प फा० सं० 33/47/78-बि० का०]

ORDER

New Delhi, the 26th December, 1978

STAMPS

S.O. 82.—In exercise of the powers conferred by clause (b) of sub-section (1) of the Indian Stamp Act, 1899 (2 of

1899), the Central Government hereby permits the Industrial Development Bank of India, Bombay to pay consolidated stamp duty of seventy six lakhs, ninety nine thousands of rupees only, chargeable on account of the Stamp duty on 6 per cent Industrial Development Bank of India Bonds, 1986 (7th series) and 1987 (8th series) in the form of promissory notes of the face value of seventy six crores, ninety nine lakhs of rupees, to be issued by the said Industrial Development Bank of India.

[No. 31/78-Stamp-F. No. 33/47/78-ST]

आदेश

स्टाम्प

का० आ० 83.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा उस शुल्क को माफ करती है, जो कर्नाटक राज्य वित्तीय निगम, बंगलूर द्वारा जारी किये जाने वाले एक करोड़, सैतीस लाख, पचास हजार रुपये मूल्य के प्रॉमिसरी नोटों के रूप में जारी किये जाने वाले बन्धपत्रों पर, उक्त अधिनियम के अधीन प्रभावी है।

[सं० 32/78-स्टाम्प फा० सं० 33/7/78-दि० क०]

ORDER

STAMPS

S.O. 83.—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899) the Central Government hereby remits the duty with which the bonds in the form of promissory notes to the value of one crore, thirty seven lakhs and fifty thousands of rupees, to be issued by the Karnataka State Financial Corporation, Bangalore, are chargeable under the said Act.

[No. 32/78-Stamp-F. No. 33/7/78-ST]

आदेश

नई दिल्ली, 6 जनवरी, 1979

स्टाम्प

का० आ० 84.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्द्वारा उस शुल्क को माफ करती है जो वि हाउसिंग एण्ड अर्बन डेवलपमेंट कारपोरेशन लिमिटेड, नई दिल्ली द्वारा जारी किए गए 15 करोड़ रुपये मूल्य के ऋणपत्र और परवर्ती अन्तरणों के साक्षी भूत दस्तावेजों पर, जिनमें उनके परिचय और उप-प्रभाग आदि शामिल हैं, उक्त अधिनियम के अंतर्गत प्रभावी हैं।

[सं० 1/79-स्टाम्प-फा० सं० 33/58/78-वि०क०]

ORDER

New Delhi, the 6th January, 1979

STAMPS

S.O. 84.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899) the Central Government hereby remits the duty with which the debentures to the value of fifteen crores of rupees, to be floated by the Housing and Urban Development Limited, New Delhi, and the documents evidencing subsequent transfers, conversations, sub-divisions etc. thereof, are chargeable under the said Act.

[No. 1/79-Stamp/F. No. 33/58/78-ST.]

आदेश

स्टाम्प

का० आ० 85.—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उस शुल्क को माफ करती है, जो रूरल इलेक्ट्रिकेशन कारपोरेशन लिमिटेड, नई दिल्ली द्वारा प्रॉमिसरी नोटों के रूप में जारी किये जाने वाले बीस करोड़, सात लाख और पचास हजार रुपये मूल्य के बन्धपत्रों और परवर्ती अन्तरणों के साक्षीभूत दस्तावेजों पर, उक्त अधिनियम के अंतर्गत प्रभावी है।

[सं० 2/79-स्टाम्प-फा० सं० 33/5/78-वि०क०]

एम० डा० रामस्वामी, अवर सचिव

ORDER

STAMPS

S.O. 85.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899) the Central Government hereby remits the duty with which the bonds in the form of promissory notes to the value of twenty crores seven lakhs and fifty thousands of rupees, to be issued by the Rural Electrification Corporation Limited, New Delhi and the documents evidencing subsequent transfers of the same, are chargeable under the said Act.

[No. 2/79-Stamp/F. No. 33/5/78-ST.]

S. D. RAMASWAMY, Under Secy.

बीमा प्रभाग

नई दिल्ली, 28 दिसम्बर, 1978

का० आ० 86.—केन्द्रीय सरकार, जीवन बीमा अधिनियम, 1956 (1956 का 31) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री हिन्दु सिंह परमार को 31 अगस्त, 1980 तक के लिए एतद्द्वारा भारतीय जीवन बीमा निगम के बोर्ड का निदेशक नियुक्त करती है।

[फाइल सं० 81(1)-बीमा II/78]

शिवदयाल रहेजा, अवर सचिव

Insurance Division

New Delhi, the 28th December, 1978

S.O. 86.—In exercise of the powers conferred by Section 4 of the Life Insurance Corporation Act, 1956 (31 of 1956) the Central Government hereby appoints Shri Hindu Singh Parmar as Director on the Board of the Life Insurance Corporation of India upto 31-8-1980.

[File No. 81(1)-Ins. II/78]

S. D. RAHEJA, Under Secy.

आर्थिक कार्य विभाग

(बीमा प्रभाग)

नई दिल्ली, 21 नवम्बर, 1978

का० आ० 87.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्द्वारा घोषित करती है :—

(क) कि उक्त अधिनियम की धारा 10 की उपधारा (1) के खंड (ग) के उपखण्ड (i) और (ii) तथा धारा 10(1) की उप-धारा (2) और (4) 25 अगस्त, 1979 तक अन्ध रेस लिमिटेड, हैदराबाद पर उस सीमा तक लागू नहीं होंगे जहां तक इनका संबंध इसके अध्यक्ष एवं मुख्य

कार्यकारी अधिकारी पर, आन्ध्र प्रदेश इन्डस्ट्रियल एण्ड टेक्निकल कन्सल्टेंसी आर्योनाइजेशन और उड़ीसा इन्डस्ट्रियल एण्ड टेक्निकल आर्योनाइजेशन, के निदेशक बनने पर प्रतिबंध लगाते हैं क्योंकि वे कम्पनी अधिनियम, 1956 (1956 का 1) के अधीन पंजीकृत कम्पनियां हैं, और

(ख) उक्त अधिनियम की धारा 19 की उपधारा 3 के उपबंध, 25 अगस्त, 1979 तक उल्लिखित बैंक पर उस सीमा तक लागू नहीं होंगे जहाँ तक उक्त उपबंध उक्त बैंक की आन्ध्र प्रदेश इन्डस्ट्रियल एण्ड टेक्निकल कन्सल्टेंसी आर्योनाइजेशन और उड़ीसा इन्डस्ट्रियल एण्ड टेक्निकल आर्योनाइजेशन में शेयर धारिता पर प्रतिबंध लगाते हैं क्योंकि वे कम्पनी अधिनियम, 1956 (1956 का 1) के अधीन पंजीकृत कम्पनियां हैं ।

[संख्या 15 (19)-बी० ओ० III/78]

मे० आ० उसगावकर, अव्वर सचिव

(Department of Economic Affairs)

Banking Division)

New Delhi, the 21st November, 1978

S.O. 87.—In exercise of powers conferred by Section 53 of the Banking Regulation Act 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares :

(a) that the provisions of sub-clauses (i) and (ii) of clause (c) of sub-section (1) of Section 10 and sub-sections (2)&(4) of Section 10B of the said Act shall not apply to the Andhra Bank Ltd., Hyderabad upto 25th August, 1979 in so far as the said provisions prohibit its Chairman and Chief Executive Officer from being a director of the Andhra Pradesh Industrial and Technical Consultancy Organisation and Orissa Industrial and Technical Consultancy Organisation being companies registered under the Companies Act, 1956 (1 of 1956); and

(b) that the provisions of sub-section 3 of Section 19 of the said Act shall not apply upto 25th August 1979 to the above mentioned bank in so far as the said provisions prohibit the said bank from holding shares in the Andhra Pradesh Industrial and Technical Consultancy Organisation and Orissa Industrial and Technical Consultancy Organisation being companies registered under the Companies Act 1956 (1 of 1956).

[No. 15(19)-B. O. III/78]

M.B. USGAONKAR, Under Secy.

नई दिल्ली, 22 दिसम्बर, 1978

का० आ० 88.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा डिब्रुगढ़ यूनिवर्सिटी, डिब्रुगढ़ (असम) के समाजशास्त्र विभाग के व्याख्याता श्री दुर्गेश्वर डोले को श्री हितेन भाया के स्थान पर 22 दिसम्बर, 1978 से भारतीय रिजर्व बैंक के पूर्वी क्षेत्र के स्थानीय बोर्ड के सदस्य के रूप में नियुक्त करती है ।

[सं० एफ० 7/2/78-बी० ओ०]

जे० सी० राय, निदेशक

New Delhi, the 22nd December, 1978

S.O. 88.—In exercise of the powers conferred by sub-section (1) of Section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri Durgeshwar Doley, Lecturer, Department of Sociology, Dibrugarh University, Dibrugarh (Assam) to be a member of the Local Board of the Reserve Bank for the Eastern Area with effect from 22nd December, 1978, vice Shri Hiten Bhaya.

[No. F. 7/2/78-BO. I]

J. C. ROY, Director

नई दिल्ली, 26 दिसम्बर, 1978

का० आ० 89.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो कोरापुट-पंचवटी ग्राम्य बैंक, जेपूर के अध्यक्ष के रूप में श्री पी० नायक की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ष और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ष और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-88/76-ए० सी०]

New Delhi, the 26th December, 1978

S.O. 89.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's Notification of even No. dated the 15th June, 1978 relating to the appointment of Shri P. Nayar, as the Chairman, of the Koraput-Panchabati Gramya Bank, Jeypore, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-88/76-AC]

का० आ० 90.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो रीवा-सीधी ग्रामीण बैंक, रीवा के अध्यक्ष के रूप में श्री बी० डी० नारंग की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ष और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-130/76-ए० सी०]

S.O. 90.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri B.D. Narang, as the Chairman of the Rewa-Sidhi Gramin Bank, Rewa, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-139/76-AC]

का० आ० 91.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो मुंगेर क्षेत्रीय ग्रामीण बैंक, मुंगेर के अध्यक्ष के रूप में श्री के० पी० लाल की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ष और शब्द “31 दिसम्बर, 1978” स्थान पर आंकड़े, वर्ष और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-132/76-ए० सी०]

S.O. 91. In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri K. P. Lal as the Chairman of the Monghyr Kshetriya Gramin Bank, Monghyr, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-132/76-AC]

का० प्रा० 92.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो कावेरी ग्रामीण बैंक, मैसूर के अध्यक्ष के रूप में श्री टी० एम० राजशेखर की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ण और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, 'वर्ण' और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 3-28/77-भार० ग्राम० बी०]

S.O. 92.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri T. M. Rajasekhar, as the Chairman of the Cauvery Gramina Bank, Mysore, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-28/77-RRB]

का० प्रा० 93.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो हिमाचल ग्रामीण बैंक, मण्डी के अध्यक्ष के रूप में श्री के० एस० राजपूत की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ण और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, 'वर्ण' और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-136/76-ए० सी०]

S.O. 93.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri K.S. Rajput, as the Chairman of the Himachal Gramin Bank, Mandi namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-136/76-AC]

का० प्रा० 94.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो भोजपुर रोहतास ग्रामीण बैंक, ग्रारा के अध्यक्ष के रूप में श्री पी० के० जैन की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ण और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, 'वर्ण' और शब्द "30 जून 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-70/75-ए० सी०]

S.O. 94.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri P.K. Jain, as the Chairman of the Bhojpur Rohtas Gramin Bank, Arrah, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-70/75-AC]

का० प्रा० 95.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 31 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो जयपुर-नागौर आंचलिक ग्रामीण बैंक, जयपुर के अध्यक्ष के रूप में श्री एस० एल० जैन की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ण और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, 'वर्ण' और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-12/75-ए० सी०]

S.O. 95.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976, (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri S.L. Jain, as the Chairman of the Jaipur Nagaur Aanchalik Gramin Bank, Jaipur, namely :—

In the said notification, the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-12/75-AC]

का० प्रा० 96.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो बोलांगीर आंचलिक ग्राम्य बैंक, बोलांगीर के अध्यक्ष के रूप में श्री गोलक बिहारी सारंगी की नियुक्ति से सम्बंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ण और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, 'वर्ण' और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे

[संख्या एक० 4-86/75-ए० सी०]

S.O. 96.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Golak Bihari Sarangi, as the Chairman of the Bolangir Anchalik Gramya Bank, Bolangir, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-86/75-AC]

का० आ० 97.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो भगीरथ ग्रामीण बैंक, सीतापुर के अध्यक्ष के रूप में श्री बी० एन० राय की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े और वर्ण और शब्द, “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एक० 4-58/76-ए० सी०]

S.O. 97.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976) the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri B.N. Rai, as the Chairman of the Bhagirath Gramin Banks, Sitapur (U.P.), namely :—

In the said notification, for the figures letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979”, shall be substituted.

[No. F. 4-58/76-AC]

का० आ० 98.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो साउथ मालाबार ग्रामीण बैंक, मल्लापूरम के अध्यक्ष के रूप में श्री ए० करुणाकर शेट्टी, की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एक० 4-60/76-ए० सी०]

S.O. 98.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments to this Department's notification of even number dated the 15th June, 1978 relating to the appointment of Shri A. Karunakara Shetty, as the Chairman of the South Malabar Gramin Bank, Malappuram namely :—

In the said notification, for the figures, letters and words “31st December, 1978” the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-60/76-AC]

का० आ० 99.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो त्रिपुरा ग्रामीण बैंक, अगरतला के अध्यक्ष के रूप में श्री मानबेन्द्र सेन की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[सं० एक० 4-84/75-ए०सी०]

S.O. 99.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Manabendra Sen, as the Chairman of the Tripura Gramin Bank, Agartala, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-84/75-AC]

का० आ० 100.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो मारवाड़ ग्रामीण बैंक, पाली के अध्यक्ष के रूप में श्री बलराम मिश्र की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द, “31 दिसम्बर, 1978” के स्थान पर आंकड़े वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एक० 4-82/76-ए० सी०]

S.O. 100.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Balram Mishra, as the Chairman of the Marwar Gramin Bank, Pali, namely :—

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-82/76-AC]

का० आ० 101.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो प्रागज्योतिष गाँवोलिया बैंक, नलबारी, के अध्यक्ष के रूप में श्री जी० सी० कालिता की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एक० 4-79/75-ए० सी०]

S.O. 101.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even number dated the 15th June, 1978 relating to the appointment of Shri G. C. Kalita, as Chairman of Pragjyotish Gaonlia Bank, Nalbari namely :—

In the said notification, for the figures, letters and words “31st December, 1978” the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-79/75-AC]

का० आ० 102.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो गौड़ ग्रामीण बैंक, मालदा के अध्यक्ष के रूप में श्री बिमल चक्रवर्ती, की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एक 4-11/75-ए० सी०]

S.O. 102.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Bimal Chakraborty as the Chairman of the Gaur Gramin Bank, Malda, namely :—

In the said notification, for the figures, letters and words "31st December, 1978" the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-11/75-AC]

क्र० प्र० 103.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो हरदोई-उन्नाव ग्रामीण बैंक, हरदोई के अध्यक्ष के रूप में श्री काशी नाथ चतुर्वेदी की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 1-1/77-भार० ग्राम० बी०]

S.O. 103.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even number dated the 15th June, 1978 relating to the appointment of Shri Kashi Nath Chaturvedi as the Chairman of the Hardoi-Unnao Gramin Bank, Hardoi, namely :

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 1-1/77-RRB]

क्र० प्र० 104.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो संयाल परगना ग्रामीण बैंक, दुमका के अध्यक्ष के रूप में श्री बी० के० घोष की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द, "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-134/78-ए० सी०]

S.O. 104.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri B.K. Ghosh, as the Chairman of the Santhal Parganas Gramin Bank, Dumka, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-134/76-AC]

क्र० प्र० 105.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो रायबरेली क्षेत्रीय ग्रामीण बैंक, रायबरेली के अध्यक्ष के रूप में श्री बी० के० मिश्रा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 3-15/77-भार० ग्राम० बी०]

S.O. 105.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri B. K. Sinha, as the Chairman of the Rae Bareilly Kshetriya Gramin Bank, Rae Bareilly namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-15/77-RRB]

क्र० प्र० 106.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो पुरी ग्राम्य बैंक, पिपली के अध्यक्ष के रूप में श्री सुरेन्द्र महंती की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-87/75-ए० सी०]

S.O. 106.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Surendra Mahanty, as the Chairman of the Puri Gramya Bank, Pipli, namely :

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-87/75-AC]

क्र० प्र० 107.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो फर्रुखाबाद ग्रामीण बैंक, फर्रुखाबाद के अध्यक्ष के रूप में श्री गोबर्धन दास गोयल की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 3-16/77-भार० ग्राम० बी०]

S.O. 107.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Gavar-dhan Das Goyal, as the Chairman of the Farrukhabad Gramin Bank, Farrukhabad, namely :

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letter and words "30th June, 1979" shall be substituted.

[No. F. 3-16/77-RRB]

क्र० प्र० 108.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 14 जून, 1978

की समसंख्यक अधिसूचना में जो शेखावाटी ग्रामीण बैंक, सीकर के अध्यक्ष के रूप में श्री आर० जी० पुरी की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, ‘वर्ण और शब्द’ “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-81/76-ए० सी०]

S.O. 108.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri R. G. Puri, as the Chairman of the Shekhawati Gramin Bank, Sikar, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-81/76-AC]

क्रा० आ० 109.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो बुंदेलखंड क्षेत्रीय ग्रामीण बैंक, टीकमगढ़ के अध्यक्ष के रूप में श्री एस० एम० वाघवानो की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, ‘वर्ण और शब्द’ “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-138/76-ए० सी०]

S.O. 109.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri S. M. Wadhvani, as the Chairman of the Bundelkhand Kshetriya Gramin Bank, Tikamgarh, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-138/76-AC]

क्रा० आ० 110.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो नार्वी मालाबार ग्रामीण बैंक, कन्नानूर के अध्यक्ष के रूप में श्री सी० सी० आर० कामथ की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, ‘वर्ण और शब्द’ “30 जून, 1979” प्रतिस्थापित किये जायेंगे

[संख्या एफ० 3-35/77-आर० आर० बी०]

S.O. 110.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri C. C. R. Kamath, as the Chairman of the North Malabar Gramin Bank, Cannanore, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 3-35/77-RRB]

क्रा० आ० 111.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो जम्मू रूरल बैंक, जम्मू के अध्यक्ष के रूप में श्री एस० आर० कोतवाल, की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, ‘वर्ण और शब्द’ “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-72/75-ए० सी०]

S.O. 111.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri S. R. Kotwal, as the Chairman of the Jammu Rural Bank, Jammu, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-72/75-AC]

क्रा० आ० 112.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978, की समसंख्यक अधिसूचना में जो मालप्रभा ग्रामीण बैंक, धारवाड़ के अध्यक्ष के रूप में श्री एम० वी० इनामदार की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े वर्ण और शब्द “31 दिसम्बर, 1978”, के स्थान पर आंकड़े, ‘वर्ण और शब्द’ “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 4-87/76-ए० सी०]

S.O. 112.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri M. V. Inamdar, as the Chairman of the Malaprabha Gramina Bank, Dharwar, namely :—

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-87/76-AC]

क्रा० आ० 113.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो किसी क्षेत्रीय ग्रामीण बैंक, पूनिया के अध्यक्ष के रूप में श्री डी० सी० वर्मा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, ‘वर्ण और शब्द’ “30 जून, 1979” प्रतिस्थापित किये जायेंगे ।

[संख्या एफ० 3-38/77-आर० आर० बी०]

S.O. 113.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri

D. C. Verma, as the Chairman of the Kosi Kshetriya Gramin Bank, Purnea, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-38/77-RRB]

का० आ० 114.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो कटक ग्राम्य बैंक, कटक के अध्यक्ष के रूप में श्री स्वरूप चन्द्र दास की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-76/76-ए० सी०]

S.O. 114.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Swarup Chandra Dash, as the Chairman of the Cuttack Gramya Bank, Cuttack, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-76/76-AC]

का० आ० 115.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो बलिया क्षेत्रीय ग्रामीण बैंक, बलिया के अध्यक्ष के रूप में श्री एस० आर० शुक्ल की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किए जायेंगे।

[संख्या एक० 3-40/77-आर० आर० बी०]

S.O. 115.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri S. R. Shukla, as the Chairman of the Ballia Kshetriya Gramin Bank, Ballia, namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-40/77-RRB]

का० आ० 116.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो हरयाणा क्षेत्रीय ग्रामीण बैंक, भिवानी के अध्यक्ष के रूप में श्री एस० के० खन्ना की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किए जायेंगे।

[संख्या एक० 4-14/75-ए० सी०]

S.O. 116.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri S. K. Khanna, as the Chairman of the Haryana Kshetriya Gramin Bank, Bhiwani namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-14/75-AC]

का० आ० 117.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो गोरखपुर क्षेत्रीय ग्रामीण बैंक, के गोरखपुर के अध्यक्ष के रूप में श्री वी० के० अग्रवाल की नियुक्ति से संबंधित है, निम्नलिखित संशोधन है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किए जायेंगे।

[संख्या एक० 3-2/77-आर० आर० बी०]

S.O. 117.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri V. K. Agarwal as the Chairman of the Gorakhpur Kshetriya Gramin Bank, Gorakhpur namely :—

In the said notification, for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-2/77-RRB]

का० आ० 118.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो क्षेत्रीय ग्रामीण बैंक, होशंगाबाद के अध्यक्ष के रूप में श्री ए० एम० कोर्डे की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किए जायेंगे।

[संख्या एक० 3-8/77-आर० आर० बी०]

S.O. 118. In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri A. M. Korde, as the Chairman of the Kshetriya Gramin Bank, Hoshangabad, namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-8/77-RRB]

का० आ० 119.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो मराठवाड़ा ग्रामीण बैंक, नासिक के अध्यक्ष के रूप में श्री एस० के० फडतवीस की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किए जायेंगे।

[संख्या एक० 3-24/77-आर०ग्राम०बी०]

S.O. 119.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri S. K. Fadnavis as the Chairman of the Marathwada Gramin Bank, Nanded namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 3-24/77-RRB]

का०आ० 120.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो वैशाली क्षेत्रीय ग्रामीण बैंक, मुजफ्फरपुर, के अध्यक्ष के रूप में श्री एन० के० सिन्हा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किए जायेंगे।

[संख्या एक० 4-135/76-ए०सी०]

S.O. 120.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri N. K. Sinha, as the Chairman of the Vaishali Kshetriya Gramin Bank, Muzaffarpur, namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-135/76-AC]

का०आ० 121.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो मयुराक्षी ग्रामीण बैंक, सूरी के अध्यक्ष के रूप में श्री के० एस० बनर्जी की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-75/76-ए०सी०]

S.O. 121.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri K. S. Banerjee, as the Chairman of the Mayurakshi Gramin Bank, Suri, namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-75/76-AC]

का०आ० 122.—ग्रामीण बैंक अधिनियम प्रादेशिक, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो मगध ग्रामीण बैंक, गया, के अध्यक्ष के रूप में श्री आर० के० प्रसाद की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-80/76-ए०सी०]

S.O. 122.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri R. K. Prasad, as the Chairman of the Magadh Gramin Bank, Gaya, namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-80/76-AC]

का० आ० 123.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो बिनामपुर-रायपुर क्षेत्रीय ग्रामीण बैंक, बिनामपुर के अध्यक्ष के रूप में श्री एच० एम० शारदा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-79/76-ए०सी०]

S.O. 123.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri H. M. Sharda, as the Chairman of the Bilaspur-Raipur Kshetriya Gramin Bank, Bilaspur, namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-79/76-AC]

का० आ० 124.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो रायलासेमा ग्रामीण बैंक, कृपासागर कुंडे, के अध्यक्ष के रूप में श्री कृपासागर कुंडे की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ष और शब्द "31 दिसम्बर, 1978" के स्थान पर आंकड़े, वर्ष और शब्द "30 जून, 1979" प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-83/76-ए० सी०]

S.O. 124.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Krupasagar Kunde, as the Chairman of the Rayalaseema Gramina Bank, Cuddapah, namely :

In the said notification for the figures, letters and words "31st December, 1978", the figures, letters and words "30th June, 1979" shall be substituted.

[No. F. 4-83/76-AC]

का० आ० 125.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग के दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो पाण्ड्यान ग्रामीण बैंक, सत्तूर, के अध्यक्ष के रूप में श्री टी० आर० कल्यापिरन की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-140/76-ए०सी०]

S.O. 125.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978, relating to the appointment of Shri T. R. Kallapiran, as the Chairman of the Pandyan Grama Bank, Sattur, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-140/76-AC]

का० आ० 126.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो उत्तर बंग क्षेत्रीय ग्रामीण बैंक, कूच बिहार, के अध्यक्ष के रूप में श्री सिद्धेश्वर सेन शर्मा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आकड़े वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आकड़े ‘वर्ण’ और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-141/76-ए०सी०]

S.O. 126.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978, relating to the appointment of Shri Siddeswar Sen Sarma, as the Chairman of Uttar Banga Kshetriya Gramin Bank, Cooch-Bihar, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-141/76-AC]

का० आ० 127.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो तुंगभद्रा ग्रामीण बैंक, बिल्लारी के अध्यक्ष के रूप में श्री एम० डी० प्रभु की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आकड़े वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे।

[संख्या एक० 3-9/77-आर० आर० बी०]

S.O. 127.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri N. D. Prabhu, as the Chairman of the Tungabhadra Gramin Bank, Bellary, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 3-9/77-RRR]

का० आ० 128.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो नागार्जुन ग्रामीण बैंक, खायाम, के अध्यक्ष के रूप में श्री वार्ड० बी० सत्यनारायणमूर्ति की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आकड़े वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे।

[संख्या एक० 3-19/77-आर० आर० बी०]

S.O. 128.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Y. V. Satyanarayana Murthy as the Chairman of the Nagarjuna Gramena Bank, Khammam, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 3-19/77-RRB]

का० आ० 129.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 26 जून, 1978 की समसंख्यक अधिसूचना में जो श्री वैशाख ग्रामीण बैंक, श्रीकाकुलम, के अध्यक्ष के रूप में श्री बी० रामचन्द्र राव की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आकड़े वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे।

[संख्या एक० 3-27/77-आर० आर० बी०]

S.O. 129.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 26th June, 1978 relating to the appointment of Shri B. Ramachandra Rao as the Chairman of the Sri Visakha Gramena Bank, Srikakulam, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 3-27/77-RRB]

का० आ० 130.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक 15 जून, 1978 की समसंख्यक अधिसूचना में जो गुडगांव ग्रामीण बैंक, गुडगांव, के अध्यक्ष के रूप में श्री आर० सी० बुधिराजा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आकड़े, वर्ण और शब्द “30 जून, 1979” प्रतिस्थापित किये जायेंगे।

[संख्या एक० 4-85/75-ए०सी०]

S.O. 130.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri R. C. Budhiraja, as the Chairman of the Gurgaon Gramin Bank, Gurgaon, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-85/75-AC]

का० ग्रा० 131.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस विभाग की दिनांक, 15 जून, 1978 की समसंख्यक अधिसूचना में जो सुल्तानपुर क्षेत्रीय ग्रामीण बैंक, सुल्तानपुर, के अध्यक्ष के रूप में श्री शैलेन्द्र प्रसाद गार्ग की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर, आंकड़े, ‘वर्ण’ और शब्द “30 जून, 1979”, प्रतिस्थापित किये जायेंगे।

[संख्या एफ 3-41/77-आर आर बी]

S.O. 131.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No., dated the 26th June, 1978 relating to the appointment of Shri Shailendra Prasad Garg as the Chairman of the Sultanpur Kshetriya Gramin Bank, Sultanpur, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 3-41/77-RRB]

का० ग्रा० 132.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा इस विभाग की दिनांक, 15 जून, 1978 की समसंख्यक अधिसूचना में जो चम्पारन क्षेत्रीय ग्रामीण बैंक, मोतीहारी, के अध्यक्ष के रूप में श्री शिव शर्मा की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, ‘वर्ण’ और शब्द “30 जून, 1979”, प्रतिस्थापित किये जायेंगे।

[संख्या एफ० 4-69/75-ए०सी०]

S.O. 132.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Shiv Sharma, as the Chairman of the Champaran Kshetriya Gramin Bank, Motibari, namely :

In the said notification for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-69/75-AC]

का० ग्रा० 133.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री सी० एच० तमाकूवाला को जामनगर ग्रामीण बैंक, जामनगर का अध्यक्ष नियुक्त करती है तथा 26-12-78 से प्रारम्भ होकर 30 जून, 1979 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसमें उक्त श्री सी० एच० तमाकूवाला अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 1-6/77-आर० आर० बी०]

S.O. 133.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri C. H. Tamakuwala as the Chairman of the Jamnagar Gramin Bank, Jamnagar and specifies the period commencing on the 26th December, 1978 and ending with the 30th June, 1979 as the period for which the said Shri C. H. Tamakuwala shall hold office as such Chairman.

[No. 1-6/77-RRB]

का० ग्रा० 134.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा इस विभाग की दिनांक 15 जून 1978 की समसंख्यक

अधिसूचना में जो बाराबंकी ग्रामीण बैंक, बाराबंकी के अध्यक्ष के रूप में श्री कुबेर वीरेन्द्र सिंह गुप्त की नियुक्ति से संबंधित है, निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में आंकड़े, वर्ण और शब्द “31 दिसम्बर, 1978” के स्थान पर आंकड़े, वर्ण और शब्द “30 जून, 1979”, प्रतिस्थापित किये जायेंगे।

[संख्या एफ० 4-93/75 ए०सी०]

सी० आर० बिस्वास, उप सचिव

S.O. 134.—In exercise of the powers conferred by section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendments in this Department's notification of even No. dated the 15th June, 1978 relating to the appointment of Shri Kanwar Virendra Singh Gupta, as the Chairman of the Barabanki Gramin Bank, Barabanki, namely :

In the said notification, for the figures, letters and words “31st December, 1978”, the figures, letters and words “30th June, 1979” shall be substituted.

[No. F. 4-93/75-AC]

C. R. BISWAS, Dy. Secy.

भारत के पूर्व प्रभय निधि के कोषपाल का कार्यालय

शुद्धि-पत्र

नई दिल्ली, दिसम्बर, 1978

का० ग्रा० 135.—भारत सरकार, वित्त मंत्रालय, प्राथिक कार्य विभाग, पूर्व प्रभय निधि के कोषपाल के कार्यालय की 15 जून, 1978 की अधिसूचना संख्या 1/1/78-टी० सी० ई० जो, 15 जुलाई, 1978 के भारत के राजपत्र भाग II खण्ड 3 उपखण्ड (ii) में का० ग्रा० 2111 के अन्तर्गत पृष्ठ संख्या 1898 से 1925 में प्रकाशित की गई है, का शुद्धि-पत्र :

| पृष्ठ संख्या | क्रम संख्या | कालम | अशुद्ध | शुद्ध |
|--------------|-------------|---------|----------------|----------------|
| 1904 | तमिल-नाडु | 3 | 26 जून | 25 जून |
| 1908 | 4 | 6 | 3,499.50 | 3,335.50 |
| 1909 | 7 | 7 | 1,29,94,269.50 | 1,29,93,269.50 |
| 1909 | 7 | 10 | 25,80,799.80 | 25,80,899.80 |
| 1909 | 7 | 10 जोड़ | 25,80,799.80 | 25,80,899.80 |
| 1914 | 16 | 9 | 614.00 | — |
| 1919 | 2 | 6 | 14,275.96 | 14,257.96 |
| 1922 | 2 | 9 | 48.00 | — |
| 1922 | 3 | 9 | 33.00 | — |
| 1922 | अलीगढ़ 3 | 9 | 190.00 | 190.08 |

मंगल दास पाल

पूर्व प्रभय निधि के कोषपाल

Office of the Treasurer of Charitable Endowments for India

ERRATA

New Delhi, the December, 1978

S.O.135.—In the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, Office of the Treasurer of Charitable Endowments for India, No. F. 1/1/78-TCE, dated the 15th June, 1978, published as S.O. 2111 in the Gazette of India, Part II, Section 3(ii), dated the 15th July, 1978 at pages 1926 to 1948.

Page 1929

Case Nos. 12 & 13, column 9, line 1
Read '107-8/9' for, '107/8/9'.

Page 1935

Case No. 7

(i) Column 2, line 2 and

(ii) Column 3, Line 3

Read 'Teachers' For 'Teacher's'

(iii) Column 11, Line 1 against 19,77,600

Read 'proceeds' For 'process'

Case No. 8, Column 2, Line 1

Read 'Sarada Ranganathan' For 'Sorda Rangenathan'

Page 1938

Case No. 12, Column 2, Line 1

Read 'Krishnarao' For 'Kirshnarao'

Page 1948

Case No. 26, Column 4, Line 8

Omit '1976' after the word deposit.

Page 1941

Case No. 2 under Tamilnadu, Column

6 Read '1,593.00' For '1,593 00'

Page 1942

Case Nos. 3 & 4, Column 4

(i) Insert % against 5½, 5½, 3 and 5½

(ii) Column 9

Omit the words 'Interest remitted from Fee paid to Govt.'

against case No. 3 and insert them against case No. 4

Page 1943

Cases No. 1 to 4, Column 9, Lines 1 & 2

Omit the words 'Fee paid to' from against 'Interest remitted' in line 1 and insert them before 'Govt.' in line 2.

Case No. 5, Column 2, line 1

Read 'Saubhagyawati' for 'Subhagya-wati'.

Page 1944

Case No. 6, Column 4, Insert 'M.P' between '5-3/4%' and 'Loan'

Case No. 7

Column 2, Line 1

Read 'Chandra' For 'Chander'

Column 11, Line 1,

Read 'The' for 'Thie'

Cases No. 10, Column 7

Read '95.72' for '95.12' against '(Y)'

Cases No. 7 to 10, Column 9, Lines 1 & 2

Omit the words 'Fee paid to' from against 'interest remitted' in line 1 and insert them before 'Govt.' in line 2

Omit the last words and figures under columns 7 to 11

Page 1945

Case No. 14, column 3, lines 1 and 2

Omit ',' from against the word Rajkumar in line 1 and insert the same before the word Raipur in line 2

Page 1946

Case No. 7, column 9, line 1

Read '772.20' for '772.00'

Page 1948

Case No. 17, column 3, line 5

Read 'Estate' for 'Estates'

बाणिज्य, नागरिक पूर्ति तथा सहकारिता मंत्रालय

(बाणिज्य विभाग)

नई दिल्ली, 23 दिसम्बर, 1978

शुद्धि पत्र

का० खा० 136.—इस मंत्रालय की अधिसूचना सं० 17/78 (1/1/77-टी० एफ०) दिनांक 10 नवम्बर, 1978 में “चमड़ा निर्यात संवर्धन परिषद” शब्दों से पहले निम्नलिखित शब्दों को अन्तः स्थापित किया जाए :

“श्री हफीजुर्रहमान के स्थान पर”

सी० कृष्णन, अवर सचिव

MINISTRY OF COMMERCE, CIVIL SUPPLIES & CO-OPERATION

(Department of Commerce)

New Delhi, the 23rd December, 1978

CORRIGENDUM

S.O. 136.—In this Ministry Notification No. 17/78(1/1777-TF) dated the 10th November, 1978, after the words 'Leather Export Promotion Council' the following words may be inserted.

“Vice Shri Hafeez-ur-Rehman”

C. KRISHNAN, Under Secy.

(संयुक्त मुख्य-नियंत्रक आयात तथा निर्यात का कार्यालय)

मद्रास, 18 दिसम्बर, 1978

आदेश

विषय : सर्वश्री के० सि० के० एस० सन्स एण्ड कम्पनी, 235, टि० एच० रोड, मद्रास-81 को, अप्रैल-मार्च 76-77 की अवधि के लिए रुपये 58,682 तक टिन-प्लेट वेस्ट-वेस्ट का आयात करने के लिए जारी किये गये लाइसेंस संख्या पी०-एस०-8226232-सी०-एक्स०-एक्स०-62-एम०-43-44-05-60 दिनांक 16-2-1977 की सीमाशुल्क प्रयोजनार्थ प्रति को रद्द करना।

का० खा० 137.—सर्वश्री के० सि० के० एस० सन्स एण्ड कम्पनी, 235, टि० एच० रोड, मद्रास-81 को अप्रैल, 76-मार्च, 77 की अवधि के लिए टिन प्लेट वेस्ट वेस्ट का आयात करने के लिए 58,682 रुपये का आयात लाइसेंस संख्या पी०-एस०-8226232-सी०-एक्स०-एक्स०-62-एम०-43-44-05-60 दिनांक 16-2-1977 जारी किया गया था। लाइसेंसधारी के लाइसेंस को सीमाशुल्क प्राधिकारी के पास पंजीकृत करवाए बिना और उसे प्रयोग किये बिना खो जाने/प्रस्थानस्थ हो जाने पर लाइसेंस की सीमाशुल्क प्रयोजनार्थ प्रति की अनुलिपि प्रति के लिए आवेदन किया है। अपने तर्कों के समर्थन में लाइसेंस-धारी ने एक शपथ-पत्र दायित्व किया है।

मैं इस बात से संतुष्ट हूँ कि मूल आयात लाइसेंस संख्या पी० एस०-8226232-सी०-एक्स०-एक्स०-62-एम०-43-44-05-60 दिनांक 16-2-1977 खो गया प्रस्थानस्थ हो गया है और निर्देश देता हूँ कि आवेदक को उपर्युक्त आयात लाइसेंस की अनुलिपि प्रति जारी की जाए। उपर्युक्त आयात लाइसेंस संख्या पी०-एस०-8226232-सी०-एक्स०-एक्स०-62-एम०-43-44-05-60 दिनांक 16-2-1977 की सीमाशुल्क प्रयोजनार्थ प्रति एतद्वारा रद्द किया जाता है।

[संख्या: ऐ० एंड एस०-टिपि-60-एम० डि०-78-79]

एस० नरसिंहन, उप मुख्य नियंत्रक, आयात-निर्यात
हुते संयुक्त मुख्य नियंत्रक, आयात निर्यात

(Office of the Joint Chief Controller of Imports & Exports)

Madras, the 18th December, 1978

ORDER

Sub :- Cancellation of Customs Clearance Purpose of Import Licence No. P/S/8226232/C/XX/62M/43-44/05/60

dated 16-2-1977 for Rs. 58,682/- for the period April 1976-March 1977 for the import of Tin Plate Waste issued to M/s. K. C. K. S. Sons & Co., 235, T. H. Road, Madras-81.

S.O. 137.—Messrs. K. C. K. S. Sons & Co., 325, T. H. Road, Madras-81 was issued with an Import licence No. P/S/8226232/C/XX/62/M/43-44/05/60 dated 16-2-1977 for Rs. 58,682/- for the import of Tin Plate Waste for the period April 1976—March 1977. The licensee has since applied for a duplicate Customs Clearance Purpose copy of the above import licence since the same has been lost/misplaced without having been registered with any Customs Authority and utilised it at all. In support of their contention, the applicant has filed an affidavit.

I am satisfied that the original import licence No. P/S/8226232/C/XX/62/M/43-44/05/60 dated 16-2-1977 has been lost/misplaced and direct that a duplicate copy of above import licence shall be issued to the applicant. The original Customs Clearance Purpose copy of above import licence No. P/S/8226232/C/XX/62/M/43-44/05/60 dated 16-2-1977 is hereby cancelled.

[File No. I&S/TP/60/MD/78-79]

S. NARASIMHAN, Dy. Chief Controller of Imports & Exports for Jt. Chief Controller of Imports & Exports.

(मुख्य नियंत्रक, आयात-निर्यात का कार्यालय)

नई दिल्ली, 21 दिसम्बर, 1978

आवेश

क्र० आ० 138—भारतीय राज्य व्यापार निगम, नई दिल्ली को सामान्य मुद्रा क्षेत्र से आई० आर० एम० ए० सी० योजना के अन्तर्गत विभिन्न मदों के आयात के लिए 45,73,430/- रुपये का लाइसेंस सं० जी०/टी०/1063555 दिनांक 13-8-75 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की अनुलिपि मुद्रा-विनियम नियंत्रण प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि उपर्युक्त लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति उनसे खो गई अस्थानस्थ हो गई है। लाइसेंसधारी द्वारा आगे यह भी सूचना दी गई है कि लाइसेंस बम्बई पत्तन पर पंजीकृत कराया गया है।

अपने तर्क के समर्थन में, आवेदक ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं० जी०/टी०/1063555 दिनांक 13-8-73 की मुद्रा विनियम नियंत्रण प्रति खो गई है और निदेश देता है कि उन्हें उक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रति जारी की जाय। मूल लाइसेंस की मुद्रा-विनियम प्रति एतद्वारा रद्द की जाती है।

लाइसेंस की जी०/टी०/1063555 दिनांक 13-8-73 की मुद्रा-विनियम नियंत्रण प्रति भलग से जारी की जा रही है।

सं० पी० टी० एक० एन० एस० टी० सी०/आई० आर० एम० ए० सी०-3/73-74/आर० एम०-8/342

सी० एस० आर्य०, उप-मुख्य नियंत्रक

(Office of the Chief Controller of Imports and Exports)

New Delhi, the 21st December, 1978

ORDER

S.O. 138.—The S. T. C. of India Limited, New Delhi were granted licence No. G/T/1063555 dated 13-8-1973 for the import of Various items under IRMAC Scheme from G. C. A. to the value of Rs. 45,73,430/-. They have requested for the issue of duplicate Exchange Control Copy of the above licence on the ground that the Original Exchange Control Copy of the above licence has been lost/misplaced by them. It has been further reported by the licensee that the licence has been registered with Bombay Port.

In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that E. C. copy of licence No. G/T/1063555 dated 13-8-1973 has been lost and directs that E. C. Copy of the said licence should be issued to them. The E. C. Copy of original licence is hereby cancelled.

E. C. copy of the licence No. G/T/1063555 dated 13-8-1973 is being issued separately.

[F. No. Pt. F. No. STC/IRMAC-3/73-74/RM. 8/342]

C. S. ARYA, Dy. Chief Controller.

सागरिक पूति एवं सहकारीता विभाग

भारतीय मानक संस्था

नई दिल्ली, 13 दिसम्बर, 1978

क्र० आ० 139—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सी० एम०/एल०-5092 जिसके ब्योरे नीचे अनुसूची में दिए गए हैं। मार्च 1978 से रद्द कर दिया गया है क्योंकि IS : 1027 को अब IS : 692 में शामिल कर लिया गया है।

अनुसूची

| क्रम | लाइसेंस सं० और तिथि | लाइसेंसधारी का नाम और पता | रद्द किए गए लाइसेंस के प्रक्रिया | अधीन वस्तु/तहसम्बन्धी भारतीय मानक |
|------|---------------------|--|--|---|
| (1) | (2) | (3) | (4) | (5) |
| 1. | सी एम०/एल०-5092 | मैसर्स फोर्ट ग्लोस्टर इंडस्ट्रीज लि० 31, खार्ता में उपयोग के लिए कागज रोधित बौरंगा रोड कलकत्ता-700016 | केवल -- बोस्टता ग्रेड 6.85/1.1 किग्र० मार्क : "ग्लोस्टर" | IS : 1027-1968 खानों में उपयोग के लिए कागज रोधित सीसे के बोलदार केबलों की विशिष्ट |

[सं० सी० एम०/एल०/55 : 5092]

(Department of Civil Supplies and Co-operation)
INDIAN STANDARDS INSTITUTION

New Delhi, the 13th December, 1978

S.O. 139.— In pursuance of the sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-5092 particulars of which are given below has been cancelled with effect from 1 March, 1978 due to merger of IS : 1027 with IS : 692.

THE SCHEDULE

| Sl. No. | Licence No. and date | Name and address of the Licensee | Article/Process covered by the Licenses Cancelled | Relevant Indian Standards |
|---------|----------------------|---|--|--|
| (1) | (2) | (3) | (4) | (6) |
| 1. | CM/L-5092 | M/s. Fort Gloster Industries Ltd., 31, Chowringhee Road, Calcutta-700016. | Paper insulated cables for use in mines Voltage grade 0.55/1.1 KV Brand : 'GLOSTER'. | IS : 1027--1968 Specification Paper insulated lead-sheath cables for use in mines. |

[CMD/55 : 5092]

नई दिल्ली, 18 दिसम्बर, 1978

क्र० प्रा० 140.—निम्नलिखित अनुसूची के स्तम्भ 1 से 4 में जिन अधिसूचनाओं के ब्यौरे दिए हैं, उनके अधिकरण स्वल्प भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि स्तम्भ 5 और 6 में उल्लिखित विभिन्न उत्पादों पर मुहर लगाने की फीसों में स्तम्भ 7 और 8 के अनुसार परिवर्तन किए गए हैं। मुहर लगाने की ये परिवर्तित बरे 1978-09-01 से लागू होंगी।

अनुसूची

| क्रम संख्या | मंत्रालय का नाम | भारत के राजपत्र का संवर्ष | अधिसूचना संख्या का संवर्ष | वस्तु | भारतीय मानक की संख्या और शीर्षक | इकाई और मुहर लगाने की प्रति इकाई की फीस | |
|-------------|--|---|-------------------------------|--|--|---|--|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| 1. | औद्योगिक विकास मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1972-02-05 | एस० ओ० 405 दिनांक 1972-01-19 | मुलायम टांके | IS : 19-3-1977 मुलायम टांकों की विशिष्टि (पहला पुनरीक्षण) | एक० कि० प्रा० | 10 पैसे |
| 2. | औद्योगिक विकास मंत्रालय (औद्योगिक विकास विभाग) | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1970-02-07 | एस० ओ० 439 दिनांक 1970-01-22 | ओस्टिनाहरी मैंगनीज इस्पात की ढली वस्तुएं | IS : 276-1978 ओस्टिनाहरी मैंगनीज इस्पात की ढली वस्तुओं की विशिष्टि (तीसरा पुनरीक्षण) | एक मीटरी टन | र० 2.00 |
| 3. | उद्योग मंत्रालय (औद्योगिक विकास विभाग) | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1976-11-27 | एस० ओ० 4502 दिनांक 1976-11-05 | संरचना कार्यों के लिए इस्पात की तलियां | IS : 1161-1968 मंच-रत्ता कार्यों के लिए इस्पात की तलियों की विशिष्टि (दूसरा पुनरीक्षण) | एक मीटरी टन | (1) पहली 2000 इकाइयों के लिए र० 1.00 प्रति इकाई ; (2) 2001वीं से 5000 तक इकाइयों के लिए 50 पैसे प्रति इकाई (3) 5001वीं और इससे ऊपर इकाइयों के लिए 25 पैसे प्रति इकाई |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
|--|---|----------------------------------|--|--|---------------|---|-----|
| 4. औद्योगिक विकास विज्ञान एवं औद्योगिक मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1974-09-07 | एस० क्रो० 2290 दिनांक 1974-08-21 | फैरो-क्रोमियम | IS: 1170-1967 फैरो-क्रोमियम की विशिष्टि (पहला पुनरीक्षण) | एक मीटरी टन | (1) पहली 1500 इकाइयों के लिए 2.00 प्रति इकाई (2) 1501वीं और इससे ऊपर की इकाइयों के लिए रु० 1.00 प्रति इकाई | |
| 5. औद्योगिक विकास प्रांतीय व्यापार मंत्रालय (औद्योगिक विकास विभाग) | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1971-06-05 | एस० क्रो० 2188 दिनांक 1971-05-24 | ढलवां लोहे के बरसाती पानी के पाइप | IS: 1230-1968 ढलवां लोहे के बरसाती पानी के पाइप की विशिष्टि | एक मीटरी टन | (1) पहली 1000 इकाइयों के लिए रु० 2.00 प्रति इकाई; (2) 1001 वीं और इससे ऊपर की इकाइयों के लिए 1 रु० प्रति इकाई | |
| 6. औद्योगिक विकास एवं प्रांतीय व्यापार मंत्रालय (औद्योगिक विकास विभाग) | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1971-04-24 | एस० क्रो० 1680 दिनांक 1971-04-27 | मृदु इस्पात की नलिका-कार और अन्य पिटवां इस्पात पाइप के फिटिंग | IS : 1239 (भाग 2) 1969 मृदु इस्पात की वस्तुएं और पिटवां इस्पात पाइप के अन्य फिटिंग की विशिष्टि भाग 2 मृदु इस्पात की वस्तुएं और पिटवां इस्पात पाइप के अन्य फिटिंग | एक मीटरी टन | (1) पहली 100 इकाइयों के लिए रु० 10.00 प्रति इकाई; (2) 101वीं से 500 तक इकाइयों के लिए रु० 5.00 प्रति इकाई; और (3) 501 वीं और इसके ऊपर की इकाइयों के लिए रु० 2.00 प्रति इकाई | |
| 7. वाणिज्य तथा उद्योग मंत्रालय | भाग II, खण्ड 2, उपखण्ड (ii) दिनांक 1962-09-15 | एस० क्रो० 2840 दिनांक 1962-09-03 | फाउंटनों में ऊपर लगाने की सामग्री के रूप में प्रयुक्त ग्रेफाइट | IS: 1305-1967 फाउंटनों में ऊपर लगाने की सामग्री के रूप में प्रयुक्त ग्रेफाइट की विशिष्टि (दूसरा पुनरीक्षण) | एक मीटरी टन | रु० 10.00 | |
| 8. औद्योगिक विकास मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1971-08-14 | एस० क्रो० 3023 दिनांक 1971-07-20 | पानी गैस और मल विकास के लिए बाब पाइप के ढलवां लोहे के फिटिंग | IS: 1538 (भाग 1 से 23) - 1976 पानी, गैस और मल विकास के लिए बाब पाइप के ढलवां लोहे के फिटिंग की विशिष्टि (दूसरा पुनरीक्षण) | एक मीटरी टन | (1) पहली 500 इकाइयों के लिए 5.00 प्रति इकाई (2) 501वीं और इससे ऊपर की इकाइयों के लिए रु० 3.00 प्रति इकाई | |
| 9. उद्योग मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1964-03-21 | एस० क्रो० 949 दिनांक 1964-03-08 | विद्युत् लेपन के लिए तैयार किए निकेल अनोड | IS: 1958-1967 विद्युत् लेपन के लिए तैयार किए निकेल अनोड की विशिष्टि (पहला पुनरीक्षण) | एक० कि० ग्रा० | 3 पैसे | |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|-----------------------|-------------------|--|---|-------------|---|---|
| 10. उद्योग मंत्रालय | भाग 2, खण्ड 3, उपखण्ड | एस० प्रो० 2425 | औद्योगिक कार्यों के लिए तांबे की पट्टी खदर और पत्ती | IS : 1972-1961 औद्योगिक कार्यों के लिए तांबे की पट्टी खदर और पत्ती की विशिष्टि | एक मीटरी टन | र० 10.00 | |
| (2) दिनांक 1966-08-13 | | दिनांक 1966-08-03 | | | | | |
| 11. उद्योग मंत्रालय (औद्योगिक विकास विभाग) | भाग 2, खण्ड 3, उपखण्ड | एस० प्रो० 3068 | सिलिको क्रोमियम | IS: 2024-1970 सिलिको क्रोमियम की विशिष्टि | एक मीटरी टन | र० 1.50 | |
| (2) दिनांक 1975-09-13 | | दिनांक 1975-08-08 | | | | | |
| 12. उद्योग मंत्रालय (औद्योगिक विकास विभाग) | भाग 2, खण्ड 3, उपखण्ड | एस० प्रो० 4502 | साइकिल और अन्य कार्यों के लिए इस्पात की ट्यूब | IS: 2039-1964 साइकिल और अन्य कार्यों के लिए इस्पात की ट्यूब की विशिष्टि | एक मीटरी टन | (1) पहली 2000 इकाइयों के लिए र० 1.00 प्रति इकाई; | |
| (2) दिनांक 1976-11-27 | | दिनांक 1976-11-03 | | | | (2) 2001 वीं से 5000 तक इकाइयों के लिए 50 पैसे प्रति इकाई; | |
| | | | | | | (3) 5001 वीं और इससे ऊपर की इकाइयों के लिए 25 पैसे प्रति इकाई । | |
| 13. औद्योगिक विकास मंत्रालय | भाग 2, खण्ड 3, उपखण्ड | एस० प्रो० 3311 | मैकहाई धातुवर्ध लोहे की ठली वस्तुएं | IS: 2108-1977 मैकहाई धातुवर्ध लोहे की ठली वस्तुओं की विशिष्टि | एक मीटरी टन | र० 5.00 | |
| (2) दिनांक 1972-10-21 | | दिनांक 1972-09-14 | | | | | |
| 14. औद्योगिक विकास मंत्रालय | भाग 2, खण्ड 4, उपखण्ड | एस० प्रो० 5036 | सामान्य सांख्यिक और इंजीनियरी कार्यों के लिए इस्पात की नलियां | IS : 3601-1966 सामान्य यांत्रिक और इंजीनियरी कार्यों के लिए इस्पात की नलियों की विशिष्टि | एक मीटरी टन | (1) पहली 2000 इकाइयों के लिए र० 1.00 प्रति इकाई; | |
| (2) दिनांक 1971-11-06 | | दिनांक 1971-10-14 | | | | (2) 2001 वीं से 5000 तक की इकाइयों के लिए 50 पैसे प्रति इकाई; | |
| | | | | | | (3) 5001 वीं और इससे ऊपर की इकाइयों के लिए 25 पैसे प्रति इकाई । | |
| 15. औद्योगिक विकास एवं कम्पनी मामलों का मंत्रालय (औद्योगिक विकास विभाग) | भाग 2, खण्ड 3, उपखण्ड | एस० प्रो० 367 | अपकेन्द्रीय डलवां (स्पन) लोहे के स्प्रिंग और साकेट वाले मल विकास अपशिष्ट और संवातन पाइप के फिटिंग और सहायक सामान | IS : 3089-1971 अपकेन्द्रीय डलवां (स्पन) लोहे के स्प्रिंग और साकेट वाले मल विकास, अपशिष्ट और संवातन पाइप के फिटिंग और सहायक सामान की विशिष्टि (पहला पुनरीक्षण) | एक मीटरी टन | (1) पहली 500 इकाइयों के लिए र० 5.00 प्रति इकाई; | |
| (2) दिनांक 1969-01-25 | | दिनांक 1969-01-06 | | | | (2) 501 वीं और इससे ऊपर की इकाइयों के लिए र० 3.00 प्रति इकाई । | |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--|---|-------------------------------|--|--|-------------|---|---|
| 16. उद्योग और नागरिक मंत्रालय (औद्योगिक विकास विभाग) | भाग 2, खण्ड 3, उपखण्ड 3 (2) दिनांक 1978-07-10 | एस० ओ० 2470 दिनांक 1976-06-21 | ट्यूबवेल जाली (स्ट्रे-नर्स) बनाने में प्रयुक्त सीसा युक्त पीतल की चबूतरे और पल्लियां | IS: 5494-1969 ट्यूबवेल जाली (स्ट्रे-नर्स) बनाने में प्रयुक्त सीसा युक्त पीतल की चबूतरे और पल्लियों की विनिष्टि | एक मीटरी टन | (1) पहली 500 इकाइयों के लिए रु० 10.00 प्रति इकाई; (2) 501 वीं से 1000 तक इकाइयों के लिए रु० 5.00 प्रति इकाई; और (3) 1001 वीं और इससे ऊपर की इकाइयों के लिए रु० 2.50 प्रति इकाई । | |
| 17. नागरिक एवं सहकारिता मंत्रालय | भाग 2, खण्ड 3, उपखण्ड 3 (2) दिनांक 1978-03-11 | एस० ओ० 722 दिनांक 1978-02-21 | सिंचाई कार्यों के लिए वेल्डकृत एलुमिनियम मिश्र की नलियां | IS: 7092 (भाग 1) 1976 सिंचाई कार्यों के लिए वेल्डकृत एलुमिनियम नलियों की विनिष्टि (पहला पुनरीक्षण) | एक मीटरी टन | (1) पहली 200 इकाइयों के लिए रु० 30.00 प्रति इकाई; (2) 201 वीं और इससे ऊपर की इकाइयों के लिए रु० 10.00 प्रति इकाई । | |

[सं० सी० एम० ओ०/13 : 10]

New Delhi, the 18th December, 1978

S.O. 140.—In partial modification of the notifications, details of which are given in Col. 1 to 4 of the following schedule, the Indian Standards Institution, hereby, notifies that the marking fees pertaining to various products referred to in Col. 5 and 6 have been revised as mentioned in Col. 7 and 8 thereof. The revised rates of marking fees shall come into force with effect from 1978-09-01

SCHEDULE

| Sl. No. | Name of Ministry | Reference to the Govt. of India Gazettee | Reference to Notification No. | Product | IS : No. & Title of the Specification | Unit | Marking Fee per Unit |
|---------|--|--|-------------------------------|--------------------------------------|---|-----------|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1. | Ministry of Industrial Development. | Part II, Section 3, Sub-Section (ii), dt. 1972-02-05 | S.O. 405, dt. 1972-01-19 | Soft solders | IS : 193-1977 Specification for soft solders (third revision). | One kg. | 10 Paise |
| 2. | Ministry of Industrial Development, Internal Trade and Company Affairs (Department of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1970-02-07 | S.O. 439, dt. 1970-01-22 | Austenitic manganese steel castings | IS : 276-1978 Specification for austenitic manganese steel casting (third revision). | One Tonne | Rs. 2.00 |
| 3. | Ministry of Industry (Department of Industrial Development) | Part II, Section-3, Sub-section (ii), dt. 1976-11-27 | S.O. 4502, dt. 1976-11-05 | Steel tubes for structural purposes. | IS : 1161-1968 Specification for steel tubes for structural purposes (second revision). | One Tonne | (i) Re. 1.00 per unit for the first 2000 units; (ii) 50 Paise per unit for the 2001st to 5000 units; and (iii) 25 Paise per unit for the 5001st unit and above. |
| 4. | Ministry of Industrial Development, Science and Technology. | Part II, Section-3, Sub-section (ii), dt. 1974-09-07 | S.O. 2290, dt. 1974-08-21 | Ferrochromium | IS : 1170-1967 Specification for ferrochromium (first revision). | One Tonne | (i) Rs. 2.00 per unit for the first 1500 units; and (ii) Re. 1.00 per unit for the 1501st unit and above. |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-----|---|--|----------------------------|---|--|-----------|---|
| 5. | Ministry of Industrial Development & Internal Trade (Deptt. of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1971-06-05 | S.O. 2188, dt. 1971-05-24 | Cast iron rainwater pipes. | IS : 1230—1968 Specification for cast iron rainwater pipes (first revision). | One Tonne | (i) Rs. 2.00 per unit for the first 1000 unit; and (ii) Re. 1.00 per unit for the 1001st unit and above. |
| 6. | Ministry of Industrial Development & Internal Trade (Department of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1971-04-24 | S.O. 1680, dt. 1971-04-27 | Mild steel tubulars and other wrought steel pipe fittings. | IS : 1239 (Pt. II)—1969 Specification for mild steel tubes, tubulars and other wrought steel fittings : Part II Mild steel tubulars and other wrought steel pipe fittings. | One Tonne | (i) Rs. 10.00 per unit for the first 100 units; (ii) Rs. 5.00 per unit for the 101st to 500 units; and (iii) Rs. 2.00 per unit for the 501st unit and above. |
| 7. | Ministry of Commerce and Industry. | Part II, Section-3, Sub-section (ii), dt. 1962-09-15 | S.O. 2840, dt. 1962-09-03 | Graphite for uses as foundry facing materials. | IS : 1305—1967 Specification for graphite for use as foundry facing materials (second revision). | One Tonne | Rs. 10.00 |
| 8. | Ministry of Industrial Development. | Part II, Section-3, Sub-section (ii), dt. 1971-08-14 | S.O. 3023A, dt. 1971-07-20 | Cast iron fittings for pressure pipes for water gas and sewage. | IS : 1538 (Pt. I to XXIII)—1976 Specification for cast iron fittings for pressure pipes for water, gas and sewage (second revision). | One Tonne | (i) Rs. 5.00 per unit; for the first 500 units and (ii) Rs. 3.00 per unit for the 501st unit, and above. |
| 9. | Ministry of Industry. | Part II, Section-3, Sub-section (ii), dt. 1964-03-21 | S.O. 949, dt. 1964-03-06 | Fabricated nickel anodes for electroplating. | IS : 1958—1967 Specification for fabricated nickel anodes for electroplating (first revision). | One kg. | 3 Paise |
| 10. | Ministry of Industry. | Part II, Section-3, Sub-section (ii), dt. 1966-08-13 | S.O. 2425, dt. 1966-08-03 | Copper plates sheet and strip for industrial purposes. | IS : 1972—1961 Specification for copper plates sheet and strip for industrial purposes. | One Tonne | Rs. 10.00 |
| 11. | Ministry of Industry and Civil Supplies (Deptt. of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1975-09-13 | S.O. 3068, dt. 1975-08-08 | Silico chromium. | IS : 2024—1970 Specification for silico chromium (first revision). | One Tonne | Rs. 1.50 |
| 12. | Ministry of Industry (Deptt. of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1976-11-27 | S.O. 4502, dt. 1976-11-05 | Steel tubes for bicycle and allied purposes. | IS : 2039—1964 Specification for steel tubes for bicycle and allied purposes. | One Tonne | (i) Re. 1.00 per unit for the first 2000 units; (ii) 50 Paise per unit for the 2001st to 5000 units; and (iii) 25 Paise per unit for the 5001st unit and above. |
| 13. | Ministry of Industrial Development. | Part II, Section-3, Sub-section (ii), dt. 1972-10-21 | S.O. 3311, dt. 1972-09-14 | Blackheart malleable iron castings | IS : 2108—1977 Specification for blackheart malleable iron castings (first revision). | One Tonne | Rs. 5.00 |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--|--|---------------------------|---|--|-----------|--|---|
| 14. Ministry of Industrial Development | Part II, Section-3, Sub-section (ii) dt. 1971-11-06 | S.O. 5036, dt. 1971-10-14 | Steel tubes for mechanical and general engineering purposes. | IS : 3601—1966 Specification for steel tubes for mechanical and general engineering purposes. | One Tonne | (i) Re. 1.00 per unit for the first 2000 units; (ii) 50 Paise per unit for the 2001st to 5000 units; (iii) 25 Paise per unit for the 5001st unit and above. | |
| 15. Ministry of Industrial Development and Company Affairs (Deptt. of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1969-01-25 | S.O. 367, dt. 1969-01-06 | Centrifugally cast (spun) iron spigot and socket soil, waste and ventilating pipes, fittings and accessories. | IS: 3989—1971 Specification for centrifugally cast (spun) iron spigot and socket soil, waste and ventilating pipes, fittings and accessories (first revision). | One Tonne | (i) Rs. 5.00 per unit for the first 500 units; and (ii) Rs. 3.00 per unit for the 501st unit and above. | |
| 16. Ministry of Industry and Civil Supplies (Deptt. of Industrial Development). | Part II, Section-3, Sub-section (ii), dt. 1976-07-10 | S.O. 2470, dt. 1976-06-21 | Leaded brass sheets and strips for use in the manufacture of tubewell strainers. | IS: 5494—1969 Specification for leaded brass sheets and strips for use in the manufacture of tubewell strainers. | One Tonne | (i) Rs. 10.00 per unit for the first 500 units; (ii) Rs. 5.00 per unit for the 501st to 1000 units; and (iii) Rs. 2.50 per unit for the 1001st unit and above. | |
| 17. Ministry Civil Supplies and Co-operation. | Part II, Section 3, Sub-section (ii), dt. 1978-03-11 | S.O. 722, dt. 1978-02-21 | Welded aluminium alloy tube for irrigation purposes. | IS : 7092 (Part I)—1976 Specification for aluminium alloy tube for irrigation purposes : Part I Welded tubes (first revision). | One Tonne | (i) Rs. 30.00 per unit for the first 200 unit and (ii) Rs. 10.00 per unit for the 201st units; and above. | |

[No. CMD/13 : 10]

का० शा० 141.—निम्नलिखित अनुसूची के स्तम्भ 1 से 4 में जिन अधिसूचनाओं के ख्यारे दिए गए हैं उनके अधिकरण स्वल्प भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि स्तम्भ 5 और 6 में उल्लिखित विभिन्न उत्पादों पर मुहर लगाने की कीसों में स्तम्भ 7 और 8 के अनुसार परिवर्तन किए गए हैं। मुहर लगाने की ये परिवर्तित बरें 1978-09-01 से लागू होगी

अनुसूची

| क्रम संख्या | मंत्रालय का नाम | भारत के राजपत्र का संवर्ध | अधिसूचना संख्या का संवर्ध | वस्तु | भारतीय मानक की संख्या और शीर्षक | इकाई | मुहर लगाने की इकाई की कीस |
|-------------|----------------------------|---|-----------------------------|--|---|-------------|---------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1. | उद्योग मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1964-02-15 | एस०ओ० 543 दिनांक 1964-02-05 | बर्तनों के लिए पिटवा एलुमिनियम और मिश्र एलुमिनियम | *IS : 21-1975 बर्तनों के लिए पिटवा एलुमिनियम और मिश्र एलुमिनियम की विशिष्टि (सीसरा पुनरीक्षण) | एक मीटरी टन | र० 5.00 |
| 2. | वाणिज्य और उद्योग मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1963-01-05 | एस०ओ० 27 दिनांक 1962-12-26 | ब्यायलर के डेक काबलों और रिबेटों के लिए तांबे की छड़ें | IS : 288-1960 ब्यायलर के डेक काबलों और रिबेटों के लिए तांबे की छड़ों की विशिष्टि (पुनरीक्षित) | एक मीटरी टन | र० 10.00 |

* IS : 21 के लिए मुहर लगाने की कीस पहले संशोधित की गई थी, और इसके लागू होने की तारीख 1978-01-01 थी।

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|----|---|---|----------------------------|--|--|-------------|--|
| 3. | वाणिज्य और उद्योग मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1963-03-02 | एसओ 555 दिनांक 1965-02-19 | नौ सेना की पीतल की छड़ें और सेक्शन (मशीन करने और गढ़ाई के योग्य) | IS : 29-1-1977 नौ सेना की पीतल की छड़ें और सेक्शन (मशीन करने और गढ़ाई योग्य) की विशिष्टि (दूसरा पुनरीक्षण) | एक मीटरी टन | रु० 10.00 |
| 4. | " | " | " | पीतल की फ्री कटिंग छड़ें, सरिया और सेक्शन | IS : 319-1974 पीतल की फ्री-कटिंग छड़ें, सरिया और सेक्शन की विशिष्टि (तीसरा पुनरीक्षण) | एक मीटरी टन | रु० 10.00 |
| 5. | " | " | " | उच्च तनाव पीतल की छड़ें, और सेक्शन | IS : 320-1962 उच्च तनाव पीतल की छड़ें और सेक्शन की विशिष्टि | एक मीटरी टन | रु० 10.00 |
| 6. | " | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1961-12-09 | एसओ 2884 दिनांक 1961-11-27 | ठंडी बेसिलत पीतल की चद्दर, पत्ती और पन्नी | IS : 410-1977 ठंडी बेसिलत पीतल की चद्दर, पत्ती और पन्नी की विशिष्टि | एक मीटरी टन | (1) पहली 500 इकाइयों के लिए रु० 10.00 प्रति इकाई ; (2) 500 की से 1000 तक की इकाइयों के लिए रु० 5.00 प्रति इकाई (3) 1000 की और उससे ऊपर की इकाइयों के लिए रु० 2.50 प्रति इकाई । |
| 7. | वाणिज्य और उद्योग मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1963-01-05 | एसओ 27 दिनांक 1962-12-26 | बिजली के कार्यों के लिए तांबे की छड़ें | IS : 613-1964 बिजली के कार्यों के लिए तांबे की छड़ों की विशिष्टि (पुनरीक्षित) | एक मीटरी टन | रु० 10.00 |
| 8. | " | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1962-08-04 | एसओ 2431 दिनांक 1962-07-20 | संरचना हस्तात की मेटल आर्क वेल्डिंग के लिए लागू चड़े इलेक्ट्रोड | IS : 814 (भाग 1)- 1974 संरचना हस्तात की मेटल चड़े आर्क वेल्डिंग के लिए लागू चड़े इलेक्ट्रोड की विशिष्टि भाग 1 चद्दरों के प्रलाभा तैयार वस्तुओं की वेल्डिंग के लिए (चतुर्थ पुनरीक्षण) | 1000 ग्राम | (1) पहली 80000 इकाइयों के लिए 10 पैसे प्रति इकाई ; (2) 80001 की और इससे ऊपर की इकाइयों के लिए 5 पैसे प्रति इकाई |
| 9. | औद्योगिक विकास विज्ञान और प्रौद्योगिकी मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1974-09-14 | एसओ 2363 दिनांक 1974-08-26 | सजावटी और बचाव कार्यों के लिए बिजली द्वारा चांदी का पानी बढ़ाना | IS : 1067-1968 सजावटी और बचाव कार्यों के लिए बिजली द्वारा चांदी का पानी बढ़ाने की | एक मीटरी टन | (1) पहली 1000 इकाइयों के लिए रु० 2.00 प्रति इकाई ; और (2) 1001 की |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|---|---|----------------------------|--|--|--------------------------|--|---|
| | | | | | विशिष्ट (पहला पुनरीक्षण) | | और इससे ऊपर की इकाइयों के लिए रु० 1.00 प्रति इकाई |
| 10. उद्योग और आपूर्ति मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1965-04-10 | एसओ 1136 दिनांक 1965-03-29 | मृदु इस्पात की नलियाँ | IS : 1239 (भाग 1) ---1973 मृदु इस्पात की नलियाँ, नलिकाकार वस्तुएं और अन्य पिटवा इस्पात के फिटिंगों की विशिष्ट भाग 2 मृदु इस्पात की नलियाँ (भीमरा (पुनरीक्षण) | एक मीटरी टन | (1) पहली 2000 इकाइयों के लिए रु० 1.00 प्रति इकाई ; (2) 2001वीं से 5000 तक की इकाइयों के लिए 50 पैसे प्रति इकाई (3) 5001वीं और इससे ऊपर की इकाइयों के लिए 25 पैसे प्रति इकाई | |
| 11. वाणिज्य, नागरिक पूर्ति एवं सहकारिता मंत्रालय (नागरिक पूर्ति एवं सहकारिता विभाग) | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1978-08-26 | एसओ 2416 दिनांक 1978-08-01 | एलुमिनियम पर अनोखी लेपन | IS : 1868-1968 एलुमिनियम पर अनोखी लेपन की विशिष्ट (पहला पुनरीक्षण) | एक मीटरी टन | (1) पहली 1000 इकाइयों के लिए रु० 2.00 प्रति इकाई ; (2) 1001वीं और इससे ऊपर की इकाइयों के लिए रु० 1.00 प्रति इकाई | |
| 12. औद्योगिक विज्ञान विज्ञान और प्रौद्योगिकी मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1973-11-24 | एसओ 3252 दिनांक 1973-11-12 | धातुवर्धक ढलवाँ लोहे के पाइपों के फिटिंग | IS : 1879 (भाग 1 से 10)---1975 धातुवर्धक ढलवाँ लोहे के पाइपों के फिटिंग की विशिष्ट (पहला पुनरीक्षण) | एक मीटरी टन | रु० 10.00 | |
| 13. उद्योग तथा पूर्ति मंत्रालय (उद्योग विभाग) | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1966-03-26 | एसओ 943 दिनांक 1966-03-16 | पीतल का टांका लगाने की मिश्रधातु | IS : 2927-1964 पीतल का टांका लगाने की मिश्रधातु की विशिष्ट | एक कि०ग्रा० | रु० 2.00 | |
| 14. औद्योगिक विकास मंत्रालय | भाग II, खण्ड 3, उपखण्ड (ii) दिनांक 1973-03-03 | एसओ 652 दिनांक 1973-02-19 | स्वच्छल कार्यों के लिए प्रयुक्त इस्पात की नलियाँ | IS : 3074-1965 स्वच्छल कार्यों के लिए प्रयुक्त इस्पात की नलियों की विशिष्ट | एक मीटरी टन | (1) पहली 2000 इकाइयों के लिए रु० 1.00 प्रति इकाई ; (2) 2001वीं से 5000 तक की इकाइयों के लिए 50 पैसे प्रति इकाई ; और (3) 5001वीं और इससे ऊपर की इकाइयों के लिए 25 पैसे प्रति इकाई | |

S.O. 41.—In supersession of the notifications, details of which are given in Col. 1 to 4 of the following schedule, the Indian Standards Institution, hereby notifies that the marking fees pertaining to various products referred to in Col. 5 and 6 have been revised as mentioned in Col. 7 and 8 thereof. The revised rates of marking fees shall come into force with effect from 1978-09-01

SCHEDULE

| Sl. No. | Name of Ministry | Reference to the Govt. of India Gazette | Reference to Notification No. | Product | IS : No. & Title of the Specification | Unit | Marking Fee per Unit |
|---------|---|---|-------------------------------|--|--|------------------|--|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| 1. | Ministry of Industry. | Part II, Section 3, Sub-section (ii), dt. 1964-02-15 | S.O. 543, dt. 1964-02-05 | Aluminium and aluminium alloy, wrought for utensils. | *IS: 21—1975 Specification for aluminium and aluminium alloy, wrought, for utensils (third revision) | One Tonne | Rs. 5.00 |
| 2. | Ministry of Commerce and Industry | Part II, Section 3, Sub-section (ii), dt. 1963-01-05 | S.O. 27, dt. 1962-12-26 | Copper rods for boiler stay bolts and rivets. | IS: 288—1960 Specification for copper rods for boiler, stay bolts and rivets (revised). | One Tonne | Rs. 10.00 |
| 3. | Ministry of Commerce and Industry | Part II, Section-3, Sub-section (ii), dt. 1963-03-02. | S.O. 555, dt. 1963-02-19 | Naval brass rods and sections (suitable for machining and forging). | IS: 291—1977 Specification for naval brass rods and sections (suitable for machining and forging) (second revision). | One Tonne | Rs. 10.00 |
| 4. | —do— | —do— | —do— | Free-cutting brass bars, rods and sections. | IS: 319—1974 Specification for free cutting brass bars, rods and sections (third revision). | One Tonne | Rs. 10.00 |
| 5. | —do— | —do— | —do— | High tensile brass rods and sections. | IS: 320—1962 Specification for high tensile brass rods and sections. | One Tonne | Rs. 10.00 |
| 6. | —do— | Part II, Section 3, Sub-section (ii), dt. 1961-12-09 | S.O. 2884, dt. 1961-11-27 | Cold rolled brass sheet, strip and foil. | IS: 410—1977 Specification for cold rolled brass sheet, strip and foil (third revision). | One Tonne | (i) Rs. 10.00 per unit for the first 500 units; (ii) Rs. 5.00 per unit for the 501st unit to 1000 units and (iii) Rs. 2.50 per unit for the 1001st unit and above. |
| 7. | Ministry of Commerce and Industry | Part II, Section 3, Sub-section (ii), dt. 1963-01-05 | S.O. 27, dt. 1962-12-26 | Copper rods for electrical purposes. | IS: 613—1964 Specification for copper rods for electrical purposes (revised). | One Tonne | Rs. 10.00 |
| 8. | —do— | Part II, Section 3, Sub-section (ii), dt. 1962-08-04 | S.O. 2431, dt. 1962-07-20 | Covered electrodes for metal arc welding of structural steel. | IS: 814 (Pt. I)—1974 Specification for covered electrodes for metal arc welding of structural steel Part I For welding products other than sheets (fourth revision). | 1000 pieces | (i) 10 Paise per unit for the first 80000 units and (ii) 5 Paise per unit for the 80001st unit and above. |
| 9. | Ministry of Industrial Development, Science and Technology. | Part II, Section 3, Sub-section (ii) dt. 1974-09-14 | S.O. 2363, dt. 1974-08-26 | Electroplated coatings of silver for decorative and protective purposes. | IS: 1067—1968 Specification for electroplated coatings of silver for decorative and protective purposes (first revision). | 100 gm of silver | (i) Rs. 2.00 per unit for the first 1000 units and (ii) Re. 1.00 per unit for the 1001st unit and above. |

*Rate of marking fee for IS : 21 was revised earlier also. The date of effect was 1976-01-01.

| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
|--|---|------------------------------|--|--|-----------------------------|--|-----|
| 10. Ministry of Industry & Supply. | Part II Section 3, Sub-section (ii), dt. 1965-04-10 | S.O. 1136, dt. 1965-03-29 | Mild steel tubes. | IS: 1239 (Pt. I) - 1973 (Specification for mild steel tubes tubulars and other wrought steel fittings Part I Mild steel tubes (third revision). | One Tonne | (i) Re. 1.00 per unit for the first 2000 units; (ii) 50 Paise per unit for the 2001st to 5000 units and (iii) 25 Paise per unit for the 5001st unit and above. | |
| 11. Ministry of Commerce Civil Supplies and Co-operation (Deptt. of Civil Supplies and Co-operation) | Part II, Section 3, Sub-section (ii), dt. 1978-08-26 | S.O. 2416 dt. 1978-08-01 | Anodic coatings on aluminium. | IS: 1868—1968 Specification for anodic coatings on aluminium (first revision). | One tonne of utensils | (i) Rs. 2.00 per unit for the first 1000 units and (ii) Re. 1.00 per unit for 1001st unit and above. | |
| 12. Ministry of Industrial Development, Science and Technology. | Part II, Section 3, Sub-section (ii), dt. 1973-11-24 | S.O. 3252, dt. 1973-11-12 | Malleable cast iron pipe fittings. | IS: 1879 (Pt. I to X) —1975 Specification for malleable cast iron pipe fittings (first revision). | One Tonne | Rs. 10.00 | |
| 13. Ministry of Industry and Supply (Deptt. of Industry). | Part II, Section 3, Sub-section (ii), dt. 1966-03-26 | S.O. 943, dt. 1966-03-16 | Brazing alloys | IS: 2927—1964 Specification for brazing alloys. | One kg | Rs. 2.00 | |
| 14. Ministry of Industrial Development. | Part II, Section 3, Sub-section (ii), dt. 1973-03-03 | S.O. 652, dt. 1973-02-19 | Steel tubes for automotive purposes. | IS: 3074—1965 Specification for steel tubes for automotive purposes | One Tonne | (i) Re. 1.00 per unit for the first 2000 units; (ii) 50 Paise per unit for the 2001st to 5000 units and (iii) 25 Paise per unit for the first 500 1st units and above. | |

[No. CMD/13 : 10]

नई दिल्ली, 26 दिसम्बर, 1978

क्र० आ० 142.—समय-समय पर संशोधित भारतीय मानक संस्था (प्रमाणन बिहू) विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सीएम/एल-5680 जिनके व्योरे नीचे अनुसूची में दिए गए हैं, दिनांक 1977-01-17 से रद्द कर दिया गया है क्योंकि फर्म लाइसेंस खला नहीं पाई:

अनुसूची

| क्रम संख्या | लाइसेंस संख्या और तिथि | लाइसेंसधारी का नाम और पता | रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया | तत्सम्बन्धी भारतीय मानक |
|-----------------------------------|------------------------|---|---|--|
| 1 | 2 | 3 | 4 | 5 |
| सीएम/एल-5680 दिनांक 1976-12-03 | | मैसर्स ग्रंथमान्स डिम्बर इंडस्ट्रीज लि०, बैम्बूफ्लैट, पोर्ट ब्लेयर ग्रंथमान्स एवं निकोबार द्वीप (कार्यालय: 26 चित्तरंजन एवेन्यू कलकत्ता-700012) | सामान्य कार्य ग्रेड की प्लाईवुड छाप एटीआई | IS : 303-1975 सामान्य कार्य प्लाईवुड की विशिष्टि (दूसरा पुनरीक्षण) |

[सं० सीएमडी/55 : 5680]

New Delhi, the 26th December, 1978

S.O. 142.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations, 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-5680, particulars of which are given below has been cancelled with effect from 1977-01-17 as the firm could not operate the licence.

| Sl. No. | Licence No. and Date | Name & Address of the Licensee | Article/Process governed by the Licensees Cancelled | Relevant Indian Standard |
|---------|-----------------------------|--|--|---|
| (1) | (2) | (3) | (4) | (5) |
| | CM/L-5680 dt. 1976-12-03 | M/s. Andamans Timber Industries Ltd., Bamboo flat, Port Blair, Andamans & Nicobar Islands, (Office : 26 Chittaranjan Avenue), Calcutta-700012. | Plywood for general purposes Grade : CWR & WWR, Brand : ATI. | IS : 303—1975 Specification for plywood for general purposes (Second revision). |

[CMD/55 : 5680]

नई दिल्ली, 8 दिसम्बर, 1978

क्रा० आ० 143.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन विज्ञान) विनियम 1955 के विनियम 14 के उपविनियम (4) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या सीएम/एल-5702 जिसके व्योरे नीचे अनुसूची में दिए गए हैं 1978-11-01 से रद्द कर दिया गया है क्योंकि फर्म ने इस वस्तु का उत्पादन बंद कर दिया है।

अनुसूची

| क्रम सं० | लाइसेंस सं० और तिथि | लाइसेंसधारी का नाम और पता | रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया | तत्सम्बन्धी भारतीय मानक |
|----------|----------------------------|---|---|--|
| 1 | 2 | 3 | 4 | 5 |
| 1. | सीएम/एल-5702 1976-12-01 | मैसर्स कृषिकेमि प्रा० लि० सारावकी अय नगर दक्षिण बंगलौर-560011 (कर्नाटक) | क्लोरोडोन पायसमीथ तेज द्रव | IS : 2682-1966 क्लोरोडोन पायसमीथ तेज द्रव की विशिष्टि (पहला पुनरीक्षण) |

[सं० सीएमडी/55 : 5702]

ए० पी० बनर्जी, उप-निदेशक

New Delhi, the 8th December 1978

S.O. 143.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks), Regulations 1955 as amended from time to time, the Indian Standard Institution hereby notifies that Licence No. CM/L—5702 particulars of which are given below has been cancelled with effect from 1978-11-01 as the firm has stopped production of the article.

SCHEDULE

| Sl. No. | Licence No. and Date | Name & Address of the Licensee | Article/Process Covered by the Licensees Cancelled | Relevant Indian Standards |
|---------|------------------------|--|--|--|
| (1) | (2) | (3) | (4) | (5) |
| 1. | CML-5702 1976—12-01 | M/s Krishichemin Private Limited, Srakki, Jayanagar, South Bangalore-560011 (Karnataka). | Chlordane EC. | IS : 2682—1966 Specification for Chlordane Emulsifiable Concentrates (First Revision). |

[CMD/55 : 5702]

A.P. BANERJI, Dy. Director General

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 13 दिसम्बर, 1978

शुद्धिपत्र

का० प्रा० 144.—भारत सरकार के राजपत्र भाग (ii) खण्ड 3, उपखण्ड (ii) दिनांक 31-12-77 की पृष्ठ संख्या 4501 से 4502 पर का० प्रा० सं० 4013 के अन्तर्गत प्रकाशित भारत सरकार, पेट्रोलियम, रसायन और उर्वरक मंत्रालय की अधिसूचना संख्या 12020/9/76-प्रोड० दिनांक 9-12-77 के अन्तर्गत निम्नलिखित अनुसूची के अनुसार नीचे दी गयी अनुसूची को पढ़ें।

अनुसूची

| | | | | | | | | | |
|----------------------|--|-----------|------------------|---------------|-----------|----------------|------|-----|------|
| गांव : पलाज जीवापुरा | | | तालुका : मेहसाना | | | राज्य : गुजरात | | | |
| | | | जिला : मेहसाणा | | | | | | |
| के स्थान पर | | | | | | पढ़ें | | | |
| सर्वेक्षण नं० | | क्षेत्रफल | | सर्वेक्षण नं० | | क्षेत्रफल | | | |
| | | | | | | | | | |
| | | हे० | ए० | वर्ग | | | हे० | ए० | वर्ग |
| | | मीटर | | | | | मीटर | | |
| 1191 (पी) | | 0- | 30- | 35 | 1191 (पी) | | 0- | 30- | 35 |
| 1191 (पी) | | 0- | 05- | 06 | 1191 (पी) | | 0- | 05- | 06 |

[सं० 12020/9/76-प्रो०]

MINISTRY OF PETROLEUM, CHEMICALS
AND FERTILIZERS

(Department of Petroleum)

New Delhi, the 13th December, 1978

ERRATUM

S.O. 144.—In the schedule appended to the notification of the Government of India, Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) No. 12020/9/76-Prod. dated 9-12-1977 published on page No. 4501 to 4502 vide S.O. No. 4013 dated 31-12-1977 of the Gazette of India Part II Section 3(ii) should be read as per schedule annexed hereto.

SCHEDULE

Village : Palaj (Jivapura) Taluka : Mehsana District : Mehsana
Gujarat : State

| FOR | | | READ | | |
|----------|-------------|--|----------|---------------|--|
| S.No. | Extent | | S.No. | Extent | |
| | H. A. Sq.M. | | | H. A. S.I. M. | |
| (1191 P) | 0- 30- 35 | | 1191(P) | 0- 30- 35 | |
| (1191 P) | 0- 05- 06 | | 1191 (P) | 0- 05- 06 | |

[No. 12020/9/76-Prod.]

नई दिल्ली, 16 दिसम्बर, 1978

का० प्रा० 145.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० प्रा० सं० 2882 तारीख 30-9-78 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों के बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था ;

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय भारतीय तेल निगम लि० में सभी बाधाओं से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

| तालुका : पलाजपुर | जिला : बतसकन्धा | राज्य : गुजरात | | | |
|------------------|-----------------|----------------|------------------|----|--|
| गांव | सर्वे नं० | क्षेत्रफल | हे० ए० वर्ग मीटर | | |
| ब्रेमाना | 123 | 0 | 13 | 60 | |
| | 121 | 0 | 18 | 00 | |
| | 32 | 0 | 12 | 80 | |
| | 33/1 | 0 | 08 | 16 | |
| | 33/2 | 0 | 07 | 20 | |
| | 33/3 | 0 | 02 | 00 | |
| | 43/3 | 0 | 04 | 64 | |
| | 43/2 | 0 | 04 | 32 | |
| | 43/1 | 0 | 06 | 00 | |
| | 44/5 | 0 | 12 | 00 | |
| | 44/2 | 0 | 06 | 00 | |
| | 54+55 | 0 | 18 | 56 | |
| | 48 | 0 | 12 | 48 | |
| | 20+47+49 | 0 | 14 | 00 | |
| | 50+51/पी | 0 | 02 | 00 | |
| | 52+53 | 0 | 52 | 80 | |
| मालना | 153 | 0 | 22 | 40 | |
| | 154/2 | 0 | 01 | 52 | |
| | 154/1 | 0 | 09 | 12 | |
| | 145 | 0 | 09 | 00 | |

[सं० 12020/6/76-प्रो०]

New Delhi, the 16th December, 1978

S.O. 145.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals (Department of Petroleum) S. O. No. 2882 dated 30-9-1978 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines ;

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted its report to the Government ;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now therefore, in exercise of the Power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines ;

And further in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on the date of the publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

| Taluka : Palanpur District: Banaskantha Gujarat State | | | | |
|---|------------|--------|----|--------|
| Village | Survey No. | Extent | | |
| | | H. | A. | Sq. M. |
| Khemana | 123 | 0 | 13 | 60 |
| | 121 | 0 | 18 | 00 |
| | 32 | 0 | 12 | 80 |
| | 33/1 | 0 | 08 | 16 |
| | 33/2 | 0 | 07 | 20 |
| | 33/3 | 0 | 02 | 00 |
| | 43/3 | 0 | 04 | 64 |
| | 43/2 | 0 | 04 | 32 |
| | 43/1 | 0 | 06 | 00 |
| | 44/5 | 0 | 12 | 00 |
| | 44/2 | 0 | 06 | 00 |
| | 54+55 | 0 | 18 | 56 |
| | 48 | 0 | 12 | 48 |
| | 20+47+49 | 0 | 14 | 00 |
| | 50/51P | 0 | 02 | 00 |
| Madana | 52+53 | 0 | 52 | 80 |
| | 153 | 0 | 22 | 40 |
| | 154/2 | 0 | 01 | 52 |
| | 154/1 | 0 | 09 | 12 |
| | 145 | 0 | 09 | 00 |

[No. 12020/6/76-Prod.]

कां० 146.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० एन० के० 58 से एम० पी० जे० से एम० पी० डी० तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जाभी चाहिये ;

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाठ्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवर्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्-द्वारा घोषित किया है ;

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिये आक्षेप सक्षम अधिकारी, तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और वितरण प्रभाग, मकरपुरा रोड, बबोबरा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत ।

अनुसूची

कूप नं० एन० के०-58 से एम० पी० जे० से एम० पी० डी० तक पाइप लाइन बिछाने के लिए ।

| राज्य : गुजरात | जिला : मेहसाणा | तानुका : मेहसाणा | | |
|----------------|-----------------|------------------|----|----------|
| गांव | सर्वे नं० | हे० | ए० | सेन्टीमर |
| मेहमब पुरा | 39 | 0 | 09 | 00 |
| | 38 | 0 | 03 | 25 |
| | 42 | 0 | 15 | 00 |
| | जिला : अहमदाबाद | तानुका : विरमगाम | | |
| बालसासन | 95/1 और 2 | 0 | 07 | 50 |
| | 94/3 | 0 | 07 | 00 |
| | 82/1 | 0 | 06 | 50 |
| | 82/2 | 0 | 03 | 50 |
| | 89 | 0 | 05 | 50 |

[सं० 12016/16/78-प्रो०-II]

S.O. 146.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NK-58 to SPJ to SPD in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009 ;

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

ROU from Well No. NK/58 to SPJ to SPD
State : Gujarat Taluka : Mehsana, Viramgam, Distt Mehsana, Ahmedabad

| Village | Survey No. | Hect | Are | Centiare |
|-----------------------------------|------------|------|-----|----------|
| Memadpura | 39 | 0 | 09 | 00 |
| | 38 | 0 | 03 | 25 |
| | 42 | 0 | 15 | 00 |
| Taluka—Viramgam Distt. Ahmedabad. | | | | |
| Balsasan | 92/1 & 2 | 0 | 07 | 50 |
| | 94/3 | 0 | 07 | 00 |
| | 82/1 | 0 | 03 | 50 |
| | 82/2 | 0 | 03 | 50 |
| | 89 | 0 | 05 | 50 |

[No. 12016/16/78—Prod-II]

क्रा० आ० 147.—यतः केन्द्रीय सरकार की यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० एस० एन० ए० से संथाल-4 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ;

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पाइप लाइन अधिनियम में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ;

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है ;

इसलिए कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम अधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेखभाल प्रभाग, मकरपुरा रोड, वदोवरा-9 की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ;

और ऐसा आक्षेप करते वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी निधि व्यवसायी की मार्फत ।

अधिसूचना

कूप नं० एस० एन० ए० से इन्ड्रू० एन० आई० संथाल-4 तक पाइप

लाइन बिछाने के लिए ।

| राज्य : गुजरात | जिला और तालुका : मेहसाना | गाँव | सर्वे नं० | हे० | ए० | से० |
|----------------|--------------------------|------------|-----------|-----|----|-----|
| सन्थाल | | सन्थाल | 634 | 0 | 04 | 68 |
| | | कार्टट्रैक | | 0 | 03 | 72 |
| | | 866/1 | | 0 | 10 | 80 |
| | | 867 | | 0 | 04 | 75 |
| | | 872 | | 0 | 07 | 75 |
| | | 873 | | 0 | 04 | 68 |
| | | 874 | | 0 | 06 | 00 |
| | | 824 | | 0 | 01 | 20 |
| | | 822 | | 0 | 14 | 88 |
| | | 823 | | 0 | 02 | 16 |
| | | 819 | | 0 | 13 | 00 |
| | | कार्टट्रैक | | 0 | 02 | 44 |
| | | 787/2 | | 0 | 02 | 50 |
| | | 817/1 | | 0 | 10 | 80 |
| | | 789 | | 0 | 00 | 84 |
| | | 790/2 | | 0 | 12 | 72 |
| | | 810 | | 0 | 07 | 20 |
| | | 884 | | 0 | 02 | 75 |
| | | 885 | | 0 | 07 | 20 |
| जुलाना | | 1241 | | 0 | 23 | 50 |
| | | 1240 | | 0 | 09 | 60 |
| | | 1238 | | 0 | 15 | 00 |
| | | कार्टट्रैक | | 0 | 00 | 72 |
| | | 1233 | | 0 | 07 | 20 |
| | | 1234 | | 0 | 18 | 00 |
| इजपुरा | | कार्टट्रैक | | 0 | 00 | 60 |
| | | 509/4 | | 0 | 15 | 60 |
| | | 509/1 | | 0 | 09 | 00 |

[सं० 12016/16/78-प्रो०-1]

S.O. 147.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNA to Santhal-4 in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009 ;

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

From Well No. SNA to WHI Santhal-4

State : Gujarat Distt and Taluka : Mehsana

| Village | Survey No. | Hect | Ac | Centiare |
|---------|------------|------|----|----------|
| Santhal | 634 | 0 | 04 | 68 |
| | Carttrack | 0 | 03 | 72 |
| | 866/1 | 0 | 10 | 80 |
| | 867 | 0 | 04 | 75 |
| | 872 | 0 | 07 | 75 |
| | 873 | 0 | 04 | 68 |
| | 874 | 0 | 06 | 00 |
| | 824 | 0 | 01 | 20 |
| | 822 | 0 | 14 | 88 |
| | 823 | 0 | 02 | 16 |
| | 819 | 0 | 13 | 00 |
| | Carttrack | 0 | 01 | 44 |
| | 787/2 | 0 | 02 | 50 |
| | 817/1 | 0 | 10 | 80 |
| | 789 | 0 | 00 | 84 |
| | 790/2 | 0 | 12 | 72 |
| | 816 | 0 | 07 | 20 |
| | 884 | 0 | 02 | 75 |
| | 885 | 0 | 07 | 20 |
| Jotana | 1241 | 0 | 23 | 50 |
| | 1240 | 0 | 09 | 60 |
| | 1238 | 0 | 15 | 00 |
| | Carttrack | 0 | 00 | 72 |
| | 1233 | 0 | 07 | 20 |
| | 1234 | 0 | 18 | 00 |
| Ijpura | Carttrack | 0 | 00 | 60 |
| | 509/4 | 0 | 15 | 60 |
| | 509/1 | 0 | 09 | 00 |

[No. 12016/16/78-Prod-1]

नई दिल्ली, 18 दिसम्बर, 1978

क्रा० आ० 148.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० सं० 2608 तारीख 16-8-78 द्वारा केन्द्रीय सरकार ने उस अधिसूचना

से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाह्य लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना प्रायश्चित्त कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उप-धारा के अर्धान (1) सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाह्य लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की तारीख को निहित होगा।

अनुसूची

कूप नं० एन० के० ऐ० धी० से एन० के० ऐ० पू० तक पाह्य लाइन बिछाने के लिए।

| राज्य : गुजरात | जिला : अहमदाबाद | तालुका : विरमगाम | | | |
|----------------|-----------------|------------------|--------|----------|--|
| गांव | सर्वे नं० | हेक्टेयर | एअरर्ई | सेन्टीयर | |
| बालसासन | 447/3 | 0 | 02 | 88 | |
| | 418 | 0 | 15 | 60 | |
| | 417/3 | 0 | 00 | 60 | |
| | कार्ट ट्रैक | 0 | 00 | 72 | |
| | 364/1 | 0 | 10 | 80 | |
| | 365/2 | 0 | 04 | 80 | |
| | 365/8 | 0 | 02 | 40 | |

[सं० 12016/6/78-प्र०]

New Delhi, the 18th December, 1978

S.O. 148.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 2608 dated 16-8-78 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of powers conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Acquisition of R.O.U. from Well No. NKAU to NKAU
State : Gujarat District : Ahmedabad Taluka : Viramgam

| Village | Survey No. | Hect | Are | Centiare |
|----------|------------|------|-----|----------|
| Balsasan | 447/3 | 0 | 02 | 88 |
| | 418 | 0 | 15 | 60 |
| | 417/3 | 0 | 00 | 60 |
| | Cart track | 0 | 00 | 72 |
| | 364/1 | 0 | 10 | 80 |
| | 365/2 | 0 | 04 | 80 |
| | 365/8 | 0 | 02 | 40 |

[No. 12016/6/78-Prod.]

का० आ० 149.—यतः पेट्रोलियम और खनिज पाह्यलाइन (भूमि के उपयोग के अधिकार अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 2932 तारीख अगस्त, 78 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाह्य लाइनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना प्रायश्चित्त कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों के उपयोग का अधिकार पाह्य लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस प्रायोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

डाबका जी० जी० एस से ऐ० बी० जी० ऐल० बी० पी० तक लाइन बिछाने के लिए।

| राज्य : गुजरात | जिला : बड़ोडा | तालुका : पावरा | | | |
|----------------|---------------|----------------|--------|----------|--|
| गांव | सर्वे नं० | हेक्टेयर | एअरर्ई | सेन्टीयर | |
| मोधा | 796 | 0 | 02 | 40 | |

[सं० 12016/8/78-प्र०]

S.O. 149.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 2932 dated August, 78 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of powers conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from DABKA GGS to ABGL V.P.

State : Gujarat District : Vadodara Taluka : Padra

| Village | Survey No. | Hec- tare | Are | Centi- tiare |
|---------|------------|--------------|-----|-----------------|
| Mobha | 796 | 0 | 02 | 40 |

[No. 12016/8/78-Prod.]

का० आ० 150.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार प्रजन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 2612 तारीख 11-8-1978 द्वारा केन्द्रीय सरकार ने उन अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार की पाइप लाइनों की बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा की उपधारा (1) के अधिन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिर्णय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में बिलित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

के० ई० के० (के-161) से के-136 तक पाइप लाइन बिछाने के लिए।

| राज्य : गुजरात | | जिला व तालुका : गांधी नगर | | |
|----------------|-----------|---------------------------|----------|----------|
| गांव | सर्वे नं० | हेक्टेयर | एम्बार्ड | सेन्टीयर |
| पुत्रासन | 334 | 0 | 07 | 15 |
| | 335 | 0 | 09 | 00 |
| | 332 | 0 | 08 | 00 |

| 1 | 2 | 3 | 4 | 5 |
|---------|------|---|----|----|
| अम्बरसद | 1255 | 0 | 28 | 80 |
| | 1253 | 0 | 14 | 25 |
| | 1252 | 0 | 22 | 45 |
| | 1251 | 0 | 11 | 17 |

[सं० 12016/7/78-प्रो०]

टी० पी० सुब्रह्मण्यम, सचिव

S.O. 150.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 2612 dated 11-8-78 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of powers conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from KEX—7 (K-161) To K—136

State : Gujarat District & Taluka : Gandhinagar

| Village | Survey No. | Hec- tare | Are | Centi- tiare |
|-----------|------------|--------------|-----|-----------------|
| Pundrasan | 334 | 0 | 07 | 15 |
| | 335 | 0 | 09 | 00 |
| | 332 | 0 | 06 | 00 |
| Uvarsad | 1255 | 0 | 28 | 80 |
| | 1253 | 0 | 14 | 25 |
| | 1252 | 0 | 22 | 45 |
| | 1251 | 0 | 11 | 17 |

[No. 12016/7/78—Prod.]

T. P. SUBRAHMANYAN, Secretary.

नई दिल्ली, 16 दिसम्बर, 1978

का० आ० 151.—भारत सरकार की अधिसूचना के द्वारा जैसा कि जहाँ संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पाइप लाइन (प्रयोजनता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाणा तेल क्षेत्र में उक्त परिशिष्ट भूमि में बेशत म्यूल सं० एम० डी० क्यू० से जी० जी० ग० कम एम० सी० टी० एक० सोभासण तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपयुक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में निर्दिष्ट कार्य बिनाक 4-4-77 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइप लाइन ने नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद् द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

एस० डी० क्यू० से जी० जी० एस० कम० सी० टी० एफ० सोभासन तक पाइप लाइन कार्य की समाप्ति।

| मंत्रालय का नाम | गांव | का० आ० सं० | भारत के राजपत्र में प्रकाशन की तिथि | कार्य समाप्ति की तिथि |
|----------------------------|--------|------------|-------------------------------------|-----------------------|
| पेट्रोलियम रसायन और उर्वरक | पुनासन | 3224 | 11-11-78 | 4-4-77 |

[12018/5/78-प्रो० II]

New Delhi, the 16th December, 1978

S.O. 151.—Whereas by the notification of Government of India as shown in schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. SDQ to GGS-cum TTF Sob in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 4-4-77.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S.

| Name of Ministry | Villages | S. O. No. | Date of publication in the Gazette of India | Date of termination of operation |
|------------------------------------|----------|-----------|---|----------------------------------|
| Petroleum, Chemicals & Fertilizer. | Punasan | 3224 | 11-11-78 | 4-4-77 |

[No. 12016/5/78—Prod

का० आ० 152.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पार्श्व लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाणा तेल क्षेत्र में उक्त परिशिष्ट भूमि में जेथान स्थल सं० बलोल-4 से सेथाल-6 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (1) में निर्दिष्ट कार्य दिनांक 5-3-77 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइप लाइन के नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद् द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

बलोल-4 से सेथाल-6 तक पाइप लाइन कार्य की समाप्ति

| मंत्रालय का नाम | गांव | का० आ० सं० | भारत के राजपत्र में प्रकाशन की तिथि | कार्य समाप्ति की तिथि |
|----------------------------|----------------|------------|-------------------------------------|-----------------------|
| पेट्रोलियम रसायन और उर्वरक | कसल पुरा मेथाल | 3226 | 11-11-78 | 5-3-77 |

[सं० 12016/5/78-प्रो० II]

S.O. 152.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. Balol-4 to Santhal-6 in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 5-3-77.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. Balol-4 to Santhal-6.

| Name of Ministry | Villages | S.O. No. | Date of publication in the Gazette of India | Date of termination of operation |
|------------------------------------|-------------------|----------|---|----------------------------------|
| Petroleum, Chemicals & Fertilizer. | Kasalpura Santhal | 3226 | 11-11-78 | 5-3-77 |

[No. 12016/5/78—Prod-II]

का० आ० 153.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पार्श्व लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के मेहसाणा तेल क्षेत्र में उक्त परिशिष्ट भूमि में जेथान स्थल सं० ----- एस० डी० एच० से जी० जी० एस० -1 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उप-खण्ड (1) की धारा (1) में निर्दिष्ट कार्य दिनांक 27-1-77 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइप लाइन के नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद् द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

एस० जी० एच० से जी० जी० एम-1 तक पाइप लाइन कार्य की समाप्ति

| मंत्रालय का नाम | गांव | का० आ० सं० | भारत के राजपत्र में प्रकाशन की तिथि | कार्य समाप्ति की तिथि |
|----------------------------------|--------|------------------|--|--------------------------|
| पैट्रोलियम रसायन और उर्वरक | हेबुवा | 3223 | 11-11-78 | 27-1-77 |

[सं० 12016/5/78-प्रो-III]

S.O. 153.—Whereas by the notification of Government of India as shown in schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipeline (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. SDH to GGS-1 in Mehsana oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 27-1-77.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. SDH to GGS-1)

| Name of Ministry | Villages | S.O. No. | Date of publica- tion in the Gazette of India | Date of termina- tion of opera- tion |
|--|----------|----------|---|---|
| Petroleum, Chemicals & Fertilizer. | Hobuva | 3223 | 11-11-78 | 27-1-77 |

[No. 12016/5/78-Prod-III]

का० आ० 154.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में प्रवर्णित किया गया है और पैट्रोलियम और खनिज पाईप लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है गुजरात राज्य के अंकलेश्वर तेल क्षेत्र में उक्त परिशिष्ट भूमि में बेधान स्थल सं० जी० एस० 207 से जी० जी० एम-1 तक पैट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में निविष्ट कार्य दिनांक 25-2-77 से समाप्त कर दिया गया है।

अतः अब पैट्रोलियम पाइप लाइन के नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम अधिकारी एतद् द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

जी० एस० -207 से जी० जी० एस०-V तक पाईप-लाइन कार्य की समाप्ति।

| मंत्रालय का नाम | गांव | का० आ० सं० | भारत के राजपत्र में प्रकाशन की तिथि | कार्य समाप्ति की तिथि |
|----------------------------------|-------------|------------------|--|--------------------------|
| पैट्रोलियम रसायन और उर्वरक | तेलवा सरथान | 3229 | 11-11-78 | 25-2-77 |

[सं० 12016/5/78-प्रो-IV]

S.O. 154.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub section (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the Schedule appended thereto for the transport of petroleum from d.s. 207 to GGS-V in Ankleshwar oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub section (1) of section 7 of the said Act on 25-2-77.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. 207 to GGS-V

| Name of Ministry | Villages | S.O. No. | Date of publica- tion in the Gazette of India | Date of termina- tion of opera- tion |
|---|------------------|----------|---|---|
| Petroleum, Chemicals & Fertilizer | Telva Sarthan | 3229 | 11-11-78 | 25-2-77 |

[No. 12016/5/78-Prod-IV]

का० आ० 155.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहां संलग्न अनुसूची में प्रवर्णित किया गया है और पैट्रोलियम और खनिज पाईप लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के अंकलेश्वर तेल क्षेत्र में उक्त परिशिष्ट भूमि में बेधान स्थल सं० ए० एन० के० ब्यू० से जी० जी० एस० तक-V पैट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

अतः एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में निविष्ट कार्य दिनांक 9-6-77 से समाप्त कर दिया गया है :

अतः अब पैट्रोलियम पाइप लाइन के नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम अधिकारी एतद् द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

| अनुसूची | | | | |
|---|-------|------------------|--|--------------------------|
| ए० एन० के० क्यू० से जी० जी० एस०-5 तक पाईप लाईन कार्य की समाप्ति । | | | | |
| मंत्रालय का नाम | गांव | का० आ० सं० | भारत के राजपत्र में प्रकाशन की तिथि | कार्य समाप्ति की तिथि |
| पेट्रोलियम रसायन और उर्वरक | सरथान | 3222 | 11-11-78 | 9-6-77 |

[सं० 12016/5/78-प्रो०-V]

S.O.155.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. ANK-Q to GGS-V in Ankleshwar field in Gujarat State.

And Whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 9-6-77.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. ANK-Q to GGS-V.

| Name of Ministry | Villages | S.O. No | Date of publica- tion in the Gazette of India | Date of termina- tion of opera- tion |
|--|----------|---------|---|---|
| Petroleum, Chemicals & Fertilizer. | Sarthan | 3222 | 11-11-78 | 9-6-77 |

[No. 12016/5/78-Prod-V]

का० आ० 156.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पाईप लाईन (प्रयोग कर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खण्ड 6 के उपखण्ड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के अंकलेश्वर तेल क्षेत्र में उक्त परिशिष्ट भूमि में खेताभ्युपेक्षण सं० कोसंबा-10 से 12 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं ।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खण्ड 7 के उपखण्ड (1) की धारा (1) में निर्दिष्ट कार्य दिनांक 6-10-77 में समाप्त कर दिया गया है ।

अतः अब पेट्रोलियम पाईप लाइन के नियम (प्रयोग कर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एन०-द्वारा उक्त तिथि को कार्य समाप्ति तिथि अधिसूचित करने हैं ।

998 GI/78—8

| अनुसूची | | | | |
|---|--------|------------------|--|--------------------------|
| कोसंबा-10 से 12 तक पाईप लाइन कार्य की समाप्ति । | | | | |
| मंत्रालय का नाम | गांव | का० आ० सं० | भारत के राजपत्र में प्रकाशन की तिथि | कार्य समाप्ति की तिथि |
| पेट्रोलियम रसायन और उर्वरक | तरसादी | 3227 | 11-11-78 | 6-10-77 |

[सं० 12016/5/78-प्रो०-VI]

ह० (अपठनीय) गुजरात के नियमावलीगत सक्षम अधिकारी

S. O. 156.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under subsection (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. Kosamba-10 to 12 in Ankleshwar oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 6-10-77.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. Kosamba 10 to 12.

| Name of Ministry | Villages | S.O. No. | Date of publica- tion in the Gazette of India | Date of termina- tion of opera- tion |
|---|----------|----------|---|---|
| Petroleum, Chemicals & Fertilizer | Tarsadi | 3227 | 11-11-78 | 6-10-77 |

[No. 12016/5/78-Prod-VI]

Sd/- (Illegible),

Competent Authority under the Act for Gujarat.

स्वास्थ्य व परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 4 अगस्त, 1978

का० आ० 157.—राष्ट्रपति संविधान के अनुच्छेद 309 के परन्तुक द्वारा तथा अनुच्छेद 148 के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये भारत के नियंत्रक तथा महालेखा परीक्षक से परामर्श करने के पश्चात् एन० द्वारा केन्द्रीय सेवा (चिकित्सा परीक्षार्थी) नियमावली, 1944 को संशोधित करने के लिए निम्नलिखित और नियम बनाते हैं, अर्थात्:—

- (1) इन नियमों का नाम केन्द्रीय सेवा (चिकित्सा परीक्षार्थी) संशोधन नियमावली, 1978 है ।

(2) ये सरकारी राजपत्र में प्रकाशित होने की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय सेवा (चिकित्सा परिषदा) अधिनियम, 1944 के नियम 2(ज)(4) में से निम्नलिखित शब्द और अंक निकाल दिये जाएँ, अर्थात्:—

“केन्द्रीय सेवा चतुर्थ श्रेणी के सदस्य के लिये अस्पताल के सामान्य भवना निःशुल्क बाड़ों में उपयुक्त समझा जा रहा स्थान”।

[संख्या एस० 14025/8/78-एम०एस०]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 4th August, 1978.

S.O. 157.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor-General of India, hereby makes the following rules further to amend the Central Services (Medical Attendance) Rules, 1944, namely:—

- (1) These rules may be called the Central Services (Medical Attendance) Amendment Rules, 1978.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Central Services (Medical Attendance) Rules, 1944, in the rule 2(h) (iv), the following words and figures shall be omitted, namely:—

“accommodation in general or free wards in the hospital being regarded as suitable for member of the Central Service, Class IV”.

[No. S-14025/8/78-MS]

नई दिल्ली 19 दिसम्बर, 1978

का० जा० 158:—यतः भारतीय नर्सिंग परिषद, अधिनियम, 1947 (1947 का 48) की धारा 3 की उप-धारा (1) के खण्ड (छ) (iv) के अधीन कुमारी के० बी० बरयानी, रजिस्ट्रार, गुजरात नर्सिंग परिषद, अहमदाबाद को 4 मई, 1978 से 18 अप्रैल, 1980 तक श्रीमती एस० के० पटेल, जिन्होंने त्यागपत्र दे दिया है, के स्थान पर भारतीय नर्सिंग परिषद का सदस्य निर्वाचित किया गया है ;

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 1 दिसम्बर, 1958 की अधिसूचना संख्या सा० का० नि० 1147 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में “धारा 3 को उप-धारा (1) के खण्ड (छ) के अन्तर्गत निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 2 और उससे सम्बन्धित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि प्रतिस्थापित की जाए, अर्थात्:—

“2. कुमारी के० बी० बरयानी,
रजिस्ट्रार, गुजरात नर्सिंग परिषद
ब्लाक-ए, अहमदाबाद।”

[संख्या बी० 14013/1/78-पी०एम०एस०]

New Delhi, the 19th December, 1978.

S.O. 158.—Whereas Miss K. D. Varyani, Registrar, Gujarat Nursing Council, Ahmedabad has been elected to be a member of the Indian Nursing Council, under clause (g) (iv) of sub-section (1) of section 3 of the Indian Nursing Council, Act, 1947 (48 of 1947), with effect from the 4th May, 1978 upto the 18th April, 1980 vice Smt. S. K. Patel resigned.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. G. S. R. 1147, dated the 1st December, 1958 namely:—

In the said notification, under the heading “Elected under clause (g) of sub-section (1) of section 3”, for serial No. 2 and the entry relating thereto, the following serial number and entry shall be substituted, namely:—

“Miss. K. D. Varyani,

Registrar, Gujarat Nursing Council,

Block-A, Ahmedabad”.

[No. V. 14013/1/78-PMS]

नई दिल्ली, 30 दिसम्बर, 1978

का० जा० 159:—यतः दन्तचिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 3 के खण्ड (घ) का अनुसरण करते हुए गुरु नानक देव विश्वविद्यालय, अमृतसर ने डा० बी० आर० वाचेर को 11 जनवरी, 1977 से भारतीय दन्तचिकित्सा परिषद का पुनः सदस्य मनोनीत किया है;

अतः अब उक्त अधिनियम की धारा 3 का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा भारत के राजपत्र के भाग 2, खण्ड 3, उप-खण्ड (ii) में पृष्ठ 579 पर तारीख 9 फरवरी, 1978 के कार्यालय आदेश 533 के रूप में फिर से प्रकाशित और अद्यतन की गई भूतपूर्व स्वास्थ्य मंत्रालय, भारत सरकार की तारीख 12 अप्रैल, 1978 की अधिसूचना संख्या 10-10/48-एम-1 में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में “धारा 3 के खण्ड (घ) के अधीन निर्वाचित” शीर्ष के अधीन क्रम संख्या 14 और उससे सम्बन्धित प्रविष्टियों के स्थान पर निम्नलिखित को प्रतिस्थापित किया जाए, अर्थात्:—

“14. डा० बी० आर० वाचेर गुरु नानक देव विश्व- 11-1-77”
बी० बी० एस०, एम० बी० एस० विद्यालय,
एम०एस० बी० (यू०एस०ए०),
प्रिंसिपल, सरकारी दन्त चिकित्सा
कालेज एवं अस्पताल तथा
डीन, दन्तचिकित्सा संकाय,
अमृतसर-143001

[संख्या बी० 12013/1/78-पी०एम०एस०]

एन० ए० सुब्रामोनी, अवर सचिव

New Delhi, the 30th December, 1978

S.O. 159.—Whereas in pursuance of clause (d) of section 3 of the Dentists Act, 1948 (16 of 1948), Dr. B.R. Vacher has been re-nominated by the Guru Nanak Dev University, Amritsar to be a member of the Dental Council of India with effect from the 11th January, 1977;

Now, therefore, in pursuance of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Health No. 10-10/48-M.I. dated the 12th April, 1949 as re-published as amended up-to-date in the Gazette of India Part II Section 3, sub-section (ii), dated the 25th Feb-

ruary, 1978 as S.O. 533, dated the 9th February, 1978 on page 579, namely:—

In the said notification, under the heading "Elected under clause (d) of section 3 of the Dentists Act", for serial number 14 and the entries relating thereto, the following shall be substituted, namely:—

"14. Dr. B. R. Vacher, Guru Nanak 11-1-77
BDS, MDS, MSD (USA), Dev University
Principal, Government
Dental College and
Hospital and Dean of
Dental Faculty,
Amritsar-143001.

[No. V. 12013/1/78-PMS]
N. A. SUBRAMONEY, Under Secy.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 14 दिसम्बर, 1978

का० भा० 160.—कोयला खान (राष्ट्रीयकरण) अधिनियम, 1973 (1973 का 26) की धारा 17 की उपधारा (2) के अधीन प्राप्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा दिनांक 20 नवम्बर, 1978 के पूर्वाह्न से श्री एस० के० मित्रा को सहायक भुगतान आयुक्त नियुक्त करती है।

[संख्या 11023/24/78-सी० ए०]

जी० वी० जी० रमन, उप-सचिव,

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 14th December, 1978

S.O. 160.—In exercise of the powers conferred under sub-section (2) of section 17 of the Coal Mines (Nationalisation) Act, 1973 (26 of 1973), the Central Government hereby appoints Shri S. K. Mitra as Assistant Commissioner of Payments, with effect from the fore-noon of the 20th November, 1978.

[No. 11023/24/78-CA]

G. V. G. RAMAN, Dy. Secy.

कृषि और सिंचाई मंत्रालय

(कृषि विभाग)

नई दिल्ली, 30 दिसम्बर, 1978

का० भा० 161.—केन्द्रीय सरकार, कतिपय नियमों के निम्नलिखित प्रारूप को, जो पशुओं के प्रति क्रूरता निवारण अधिनियम, 1960 (1960 का 59) की धारा 38 की उपधारा (2) के खण्ड (छ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाने का प्रस्ताव करती है, उक्त अधिनियम की धारा 38 की उपधारा (1) की अपेक्षानुसार, उन व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है, जिनके उससे प्रभावित होने की संभावना है। यह सूचना भी दी जाती है कि उक्त प्रारूप नियमों पर, इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से पैंतालीस दिन की अवधि समाप्त हो जाने के पश्चात् विचार किया जाएगा।

पूर्वोक्त अवधि के समाप्त होने से पूर्व उक्त प्रारूप-नियमों के बारे में यदि किसी व्यक्ति से कोई आपत्ति या सुझाव प्राप्त होंगे तो केन्द्रीय सरकार उन पर विचार करेगी।

नियमों का प्रारूप

1. संक्षिप्त नाम.— इन नियमों का नाम क्रूरता निवारण (पशुओं को पकड़ना) नियम, 1978 है।

2. पक्षियों का पकड़ना.— किसी भी पक्षी को, विक्रय, निर्यात या किसी अन्य प्रयोजन के लिए जाल पद्धति को छोड़कर किसी अन्य पद्धति द्वारा नहीं पकड़ा जाएगा।

स्पष्टीकरण.— किसी भी पक्षी को जाल पद्धति द्वारा पकड़ा गया तब कहा जाएगा जब उसके पकड़ने में निम्नलिखित युक्ति का प्रयोग किया जाता है, अर्थात्,— ऐसी युक्ति जो सूत, जूट या किसी संश्लिष्ट तंतु जैसे किसी मुलायम, लचकदार और पर्याप्त रूप से सज्जत कटे हुए धागे से उपयुक्त आकार की जालों के रूप में इस प्रकार बनी गई है कि पक्षी को बिना कोई क्षति पहुंचाए पकड़ा जा सके।

3. अन्य पशुओं को पकड़ना— (1) किसी भी पशु को, विक्रय, निर्यात या किसी अन्य प्रयोजन के लिए बोरी और फन्दा पद्धति को छोड़कर किसी अन्य पद्धति द्वारा नहीं पकड़ा जाएगा।

परन्तु यदि किसी पशु को उसके आकार, प्रकृति या अन्य बात या परिस्थिति के कारण बोरी और फन्दा पद्धति द्वारा नहीं पकड़ा जा सकता है तो उसे प्रशासक बन्दूक या किसी ऐसी अन्य पद्धति द्वारा पकड़ा जा सकता है जिससे पकड़े जाने से पहले, पीड़ा के प्रति असम्बेधनीय हो जाए।

(2) इस नियम की कोई बात पक्षियों के पकड़े जाने को लागू नहीं होगी।

स्पष्टीकरण : किसी पशु को बोरी और फन्दा पद्धति द्वारा पकड़ा गया तब कहा जाएगा जब उसके पकड़ने में निम्नलिखित युक्ति का प्रयोग किया जाता है, अर्थात् बोरी के आकार का एक सज्जत कैनवास, जो लम्बाई में 92 से० सी० से और व्यास में 138 से० सी० से कम नहीं है, जिसमें एक मुलायम रस्सी लगी है जो लम्बाई में 5.5 मीटर से कम नहीं है और कम से कम 4 से० सी० व्यास के उस या उस से अधिक ऐसे छल्लों में से निकाली गई है जो बोरी के खुले सिरे पर लगे हैं और जिनसे फन्दा बना है। बोरी में सुविधाजनक स्थानों पर छोटे छोटे छिद्र होंगे जिससे पशु बोरी की स्थिति के दौरान प्वास से सके और पशु को, उस पर बोरी फेंककर तथा फन्दा कस कर पकड़ा जा सके।

[सं० 14-19/78-एच डी० 1]

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Agriculture)

New Delhi, the 30th December, 1978

S.O. 161.—The following draft of certain rules, which the Central Government proposes to make in exercise of the powers conferred by clause (g) of sub-section (2) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), is hereby published, as required by sub-section (1) of section 38 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of forty-five days from the date of publication of this notification in the Official Gazette.

Any objection or suggestions which may be received from any person with respect to the said draft rules before the expiry of the period aforesaid will be considered by the Central Government.

DRAFT RULES

1. Short title.—These rules may be called the Prevention of Cruelty (Capture of Birds) Rules, 1978.

2. Capture of birds.—No bird shall be captured for the purpose of sale, export or for any other purpose except by the net method.

Explanation.—A bird is said to be captured by the net method if in its capture the following contrivance is used, namely, a contrivance made of spun thread which is soft, pliable and sufficiently strong, like cotton, jute or any synthetic fibre, woven in such a way as to form a mesh of suitable size so that the bird is captured without any injury being caused to it.

3. Capture of other animals.—(1) No animal shall be captured for the purpose of sale, export or for any other purpose except by sack and loop method;

Provided that an animal which cannot be captured by reason of its size, nature or other condition or circumstance by the sack and loop method, may be captured with the help of tranquilliser guns or by any other method which renders the animal insensible to pain before capture.

(2) Nothing in this rule shall apply to the capture of birds.

Explanation.—An animal is said to be captured by the sack and loop method if in its capture the following contrivance is used, namely, a strong canvass in the form of a sack, not less than 92 cms. in length and 138 cms. in diameter, which has a smooth rope, not less than 5.5 metres in length passing through ten or more rings of not less than 4 cms. in diameter each attached at the open end, thus forming a loop, the sack having small holes at convenient places to enable the animal to breathe during captivity, and the animal is captured by the sack being thrown on it and secured by having the loop pulled.

[No. 14-19/76-LD. I]

क्रा० प्रा० 162.—पशुओं के प्रति क्रूरता का निवारण अधिनियम, 1960 (1960 का 59) की धारा 38 की उपधारा (2) के खण्ड (i) के उपबंधों द्वारा तथा अपेक्षित रूप में पशुओं के प्रति क्रूरता का निवारण (पशु परिसर रजिस्ट्रिकरण) नियम, 1978 का प्रारूप, 3 जून, 1978 को भारत के राजपत्र, भाग 1, खण्ड 2, में पृष्ठ 561 व 562 पर भारत सरकार के कृषि और सिंचाई मंत्रालय (कृषि विभाग) की अधिसूचना संख्या 14-20/76-एल० डी०, तारीख 13 अप्रैल, 1978 के अंतर्गत, प्रकाशित हुआ था जिसमें उक्त अधिसूचना के राजपत्र में प्रकाशन की तारीख से 45 दिन की अवधि के भीतर, उन सभी व्यक्तियों से आवृत्ति और सुझाव मांगे गए थे जिनके उससे प्रभावित होने की संभावना थी, और उक्त राजपत्र 3 जून, 1978 को जनता को उपलब्ध करा दिया गया था,

और उक्त प्रारूप के विषय में जनता से प्राप्त आपासियों और सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 38 की उपधारा (2) के खण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है अर्थात्—

(1) संक्षिप्त नाम और लागू होना :— (1) इन नियमों का नाम पशुओं के प्रति क्रूरता का निवारण (पशु परिसर रजिस्ट्रिकरण) नियम, 1978 है।

(2) ये नियम उन नगरों या शहरों को ही लागू होंगे जिनकी जन संख्या एक लाख से अधिक है।

(3) ये राजपत्र में प्रकाशित होने की तारीख से प्रवृत्त होंगे।

2. परिभाषाएँ :— इन नियमों में, जब तक संदर्भ से अन्यथा अपेक्षित न हो,—

(क) “डोर” से बैल, बैस, गाय, साँड़ तथा धाँड़े और उनके बच्चे अभिप्रेत हैं,

(ख) “प्रमाण पत्र” से रजिस्ट्रिकरण प्रमाण पत्र अभिप्रेत है,

(ग) “रजिस्ट्रिकरण अधिकारी” से, राज्य सरकार या किसी प्राधिकरण के पशुचिकित्सा विभाग का ऐसा प्राधिकारी अभिप्रेत है, जिसे राज्य सरकार किसी साधारण या विशेष आदेश से इस निमित्त विनिर्दिष्ट करे।

3. परिसरों का रजिस्ट्रिकरण :— प्रत्येक व्यक्ति, जो ऐसे परिसर का स्वामी अथवा भारसाधक है जिसमें लाभ के प्रयोजन के लिए कम से कम पांच डोर रखे गए हैं, यदि परिसर पहले से ही जंचमान है तो इन नियमों के प्रारम्भ से तीन मास के भीतर और यदि ऐसा कोई परिसर इन नियमों के प्रारम्भ के बाद खोला जाता है तो प्रत्येक ऐसे परिसर के खोले जाने से पहले, ऐसे परिसर के रजिस्ट्रिकरण के लिए रजिस्ट्रिकरण अधिकारी को आवेदन करेगा।

4. रजिस्ट्रिकरण के लिए आवेदन :— रजिस्ट्रिकरण के लिए दिए जाने वाले प्रत्येक आवेदन में, रखे गए या रखे जाने वाले पशुओं की संख्या तथा किस्म के, उस प्रयोजन के, जिसके लिए वे रखे जा रहे हैं, अथवा रखे जाने हैं, फर्श का स्थान, फर्श ढिछावन, रोजनदान, चागा तथा जल प्रभाव, रोगाणुनाशन, जल निष्काशन, गोबर प्रथदा अथवा अति पदार्थ के निपटान, बहारदीवारी की व्यवस्था के बारे में पूरी जानकारी दी जाएगी। इसमें सामग्री से सुसंगत ऐसी अन्य जानकारी भी दी जाएगी, जिसकी रजिस्ट्रिकरण प्राधिकारी द्वारा विनिर्दिष्ट रूप से मांग की जाए।

5. रजिस्ट्रिकरण प्रमाणपत्र :— (1) यदि रजिस्ट्रिकरण प्राधिकारी को इस बाबत समाधान हो जाता है कि दी गई जानकारी को ध्यान में रखते हुए, डोरों के कल्याण की पर्याप्त व्यवस्था कर दी गई है और उनके किसी प्रकार से अनावश्यक रूप से कष्ट भोगने की संभावना नहीं है, तो वह परिसर का रजिस्ट्रिकरण करके उनके संबंध में आवेदक को एक प्रमाणपत्र जारी करेगा।

(2) प्रत्येक प्रमाण पत्र जारी किए जाने की तारीख से तीन वर्ष की अवधि के लिए विधिमाम्य होगा। किन्तु परिसर का स्वामी अथवा भारसाधक, विद्यमान प्रमाणपत्र की अवधि समाप्त होने से तीन मास के भीतर, आवेदन दे कर एक बार में तीन वर्ष की अवधि के लिए उसका नव-समय पर नवीकरण करा सकता है।

6. परिसरों का निरीक्षण :— इन नियमों के अधीन रजिस्ट्रिकृत प्रत्येक परिसर, राज्य सरकार द्वारा साधारण अथवा विशेष आदेश द्वारा इस कार्य के लिए प्राधिकृत स्थानीय प्राधिकरण अथवा राज्य सरकार के पशु चिकित्सा अधिकारी या सार्वजनिक स्वास्थ्य अधिकारी द्वारा निरीक्षण के लिए सभी युक्त युक्त स्थलों पर खुला रहेगा।

7. रजिस्ट्रिकरण की रद्द करना :— यदि किसी परिसर का रख-रखाव इन नियमों के अंतर्गत प्रपेक्षित ढंग से नहीं किया जाता है, तो रजिस्ट्रिकरण अधिकारी कारण बताते हुए लिखित रूप में सूचना देकर तथा संबंधित व्यक्ति को कारण बताने का अवसर देने के पश्चात् प्रमाणपत्र को रद्द कर सकेगा।

8. अपील :— इन नियमों के अधीन किसी परिसर के रजिस्ट्रिकरण से इन्कार करने या उसे रद्द करने वाले किसी भी आदेश के विरुद्ध अपील में अपीलकारी अथवा अन्य प्राधिकारी को होंगी जिसे राज्य सरकार इस निमित्त निर्दिष्ट करे।

9. अधिनियम की धारा 12 का प्रयोग :— यदि किसी परिसर में दुजालेदार रखे जाते हैं तो डोरों के स्वामी को परिसर में या उसके निकट पशुओं के प्रति क्रूरता का निवारण अधिनियम, 1960 (1960 का 59) की धारा 12 की (नोचे उद्धृत रूप में) प्रति उस परिसर में सामान्यतः समझी जाने वाली भाषा में, स्पष्ट रूप से संप्रदर्शित की जाएगी।

“12 यदि कोई व्यक्ति किसी गाय या अन्य दुधार पशु पर “फूका” या “हूयवेव” नामक क्रिया करेगा या अपने कब्जे में या निर्वहणाधीन ऐसे किसी पशु पर ऐसी क्रिया करने देगा तो वह जुर्माने से जो एक, हजार रुपए तक का हो सकेगा, या कारावास से, जिसकी अवधि दो वर्ष तक की हो सकेगी, या दोनों से दण्डित किया जाएगा, और जिस पशु पर ऐसी क्रिया की गई है वह सरकार को समर्पित हो जाएगा।”

10. व्यावृत्ति :—यदि किसी क्षेत्र में, जिनको ये नियम लागू होंगे, उस समय प्रचलन किसी विधि के प्रचालन किसी स्थानीय प्राधिकरण द्वारा, कोई नियम, विनियम या उप विधियाँ बनाई गई हैं, जिनमें उन परिणतों के, जिनमें डोर या किसी किसम के डोर रखे जाते हैं, रजिस्ट्रेशन या अनुज्ञापन का उपबंध है, तो ऐसे नियम, विनियम या उप विधियाँ उस सीमा तक अभिप्रायी होंगी जिस सीमा तक उसमें यथास्थिति, डोर या उसका किसी किसम से संबंधित उपबंध विद्यमान है, और ये नियम उस सीमा तक प्रभावी नहीं होंगे।

[सं० 14-20/76-एल टी० 1]

बी० बी० कपूर, उप सचिव,

S.O. 162.—Whereas a draft of the Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978 was published, as required by clause (i) of sub-rule (2) of section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), at pages 561 and 562 of the Gazette of India, Part I—Section I, dated the 3rd June, 1978, with the notification of the Government of India in the Ministry of Agriculture & Irrigation (Department of Agriculture) No. 14-20/76-I.D. 1, dated the 13th April, 1978, inviting objections and suggestions from all persons likely to be affected thereby within a period of forty-five days from the date of publication of the said notification in the Official Gazette.

And whereas the said Gazette was made available to the public on the 3rd June, 1978;

And whereas objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (i) of sub-section (2) of section 38 of the said Act, the Central Government hereby makes the following rules, namely :—

1. Short title and application.—(1) These rules may be called the Prevention of Cruelty to Animals (Registration of Cattle Premises) Rules, 1978.

(2) These rules shall apply only to cities or towns which have a population exceeding one lakh.

(3) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires :

(a) 'cattle' means oxen, buffaloes, cows, bullocks and horses, including their young ones;

(b) 'Certificate' means the certificate of Registration.

(c) 'registering authority' means such officers of the veterinary department of the State Government or of a local authority as the State Government may, by general or special order, specify in this behalf.

3. Registration of premises.—Every person owning or in charge of premises in which not less than five heads of cattle are kept for the purpose of profit shall, in any case, where the premises are already in existence, within three months from the commencement of these rules and, in any case where, after the commencement of these rules any such premises are to be opened, before the opening of such premises, apply to the registering authority for the registration of such premises.

4. Application for registration.—Every application for registration shall contain full information regarding the number and types of animals kept or to be kept the purpose for which they are being kept or are to be kept, the provision made or to be made as respects floor space, flooring, ventilation, supply of food and water, disinfection, drainage, disposal of dung or unwanted matter, boundary walls and shall also contain such other information relevant to the matter as may be specifically called for by the registering authority.

5. Certificate of registration.—(1) If the registering authority is satisfied that, having regard to the information supplied, the welfare of the cattle is adequately secured and that they are not likely to undergo any unnecessary suffering, he shall register the premises and issue to the applicant a certificate in respect thereof.

(ii) Every certificate shall be valid for a period of three years from the date of issue thereof, but it may be renewed from time to time for a period of three years at a time on application made by the person owning or in charge of the premises, within three months from the date of expiry of the existing certificate.

6. Inspection of premises.—Every premises registered under these rules shall be open for inspection at all reasonable times by any veterinary or public health officer of the local authority or of the State Government who may be authorised by the State Government in this behalf by general or special order.

7. Cancellation of registration.—If any premises are not maintained in the manner required under these rules, the registering authority may, by notice in writing stating the grounds on which the notice proceeds and after giving an opportunity to the person concerned to show cause, cancel the certificate.

8. Appeal.—An appeal shall lie from any order refusing or cancelling the registration of any premises under these rules to such officer or other authority as the State Government may specify in this behalf.

9. Display of section 12 of the act.—If in any premises milch cattle are kept, there shall be displayed by the owner of cattle prominently in or near the premises, a copy of section 12 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) (as reproduced below) in a language commonly understood in the locality.

"12. If any person performs upon any cow or other milch animal the operation called phooka or doom dev or such operation being performed upon any such animal in his possession or under his control, he shall be punishable with fine which may be extended to one thousand rupees, or with imprisonment for a term which may extend to two years, or with both, and animal on which the operation was performed shall be forfeited to the Government."

10. Saving.—If in any area to which these rules apply, any rule, regulation or bye-laws made under any law for the time being in force, by any local authority which contains the provisions for the registration or licensing of premises in which cattle or any type thereof are kept then such rule, regulation or bye-laws to the extent to which it contains provisions relating to cattle or any type thereof, as the case may be, shall prevail and these rules shall to that extent be of no avail.

[No. 14-20/76-LD.I]

B. B. KAPUR, Dy. Secy.

नई दिल्ली 14 दिसम्बर, 1978

शुद्धि-पत्र

क्र० प्र० 163.—इस विभाग के तारीख 23 मार्च, 1976 के आदेश सं० 52/8/73-एफ सी०-III/बाल्युम-5) में निम्नलिखित शुद्धि की जाए :—

आदेश में क्रम संख्या

208

की जाने वाली शुद्धि

कालम 2 में "श्री मनीलाल शर्मा" के स्थान पर "श्री मनोहराम शर्मा" पढ़ें।

2. इस विभाग के तारीख 11 अगस्त, 1978 के प्रादेश सं० 52/7/74-एफ० सी० III (बास्वूम-11) में निम्नलिखित श्रद्धि की जाएं :—

प्रादेश में क्रम संख्या की जाने वाली श्रद्धि
14 कालम 4 में "गोदाम लिपिक" के स्थान पर "कनिष्ठ लिपिक" पढ़ें।

[संख्या 52/7/74-एफ० सी० III (बास्वूम-12)]

New Delhi, 14th December, 1978

CORRIGENDA

S.O. 163.—In this Department Order No. 52/8/73-FC.III (Vol. V) dated the 23rd March, 1976, the following correction shall be carried out :

| Sl. No. in the Order | Correction to be carried out |
|----------------------|--|
| 208 | For the words "Shri Mani Lal Sharma" in col. 2, read "Shri Mani Ram Sharma". |

2. In this Department Order No. 52/7/74-FC. III (Vol. XI) dated the 11th August, 1978, the following correction shall be carried out :

| Sl. No. in the Order | Correction to be carried out |
|----------------------|--|
| 14 | For the words "Godown Clerk" in col. 4, read "Junior Clerk". |

[No. 52/7/74-FC.III (Vol. XII)]

आदेश

का० आ० 164.—प्रतः केन्द्रीय सरकार ने खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपाप्ति निदेशालयों और खाद्य विभाग के वेतन तथा लेखा कार्यालयों द्वारा किए जाने वाले खाद्यान्नों के क्रम, भण्डारकरण, संचलन, परिवहन, वितरण तथा विक्रय के कृत्यों का पालन करना बन्द कर दिया है जो कि खाद्य निगम अधिनियम, 1964 (1964 का 37) की धारा 13 के अधीन भारतीय खाद्य निगम के कृत्य हैं।

और यतः खाद्य विभाग, क्षेत्रीय खाद्य निदेशालयों, उपाप्ति निदेशालयों और खाद्य विभाग के वेतन तथा लेखा कार्यालयों में कार्य कर रहे और उपरिर्णिक्त कृत्यों के पालन में लगे निम्नलिखित अधिकारियों और कर्मचारियों ने केन्द्रीय सरकार के तारीख 16 अप्रैल, 1971 के परिपत्र के प्रत्युत्तर में उसमें विनिर्दिष्ट तारीख के अन्दर भारतीय खाद्य निगम के कर्मचारी न बनने के अपने आशय को उक्त अधिनियम की धारा 12ए की उपधारा (1) के परन्तुक द्वारा यथा अपेक्षित सूचना नहीं दी है।

प्रतः अब खाद्य निगम अधिनियम, 1964 (1964 का 37) यथा अद्यतन संशोधित की धारा 12ए द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित कर्मचारियों को प्रत्येक के सामने दी गई तारीख से भारतीय खाद्य निगम में स्थानान्तरित करती है :—

| क्रम | अधिकारी/कर्म- संख्या जारी का नाम | केन्द्रीय सरकार के अधीन किस पद पर स्थायी है। | स्थानान्तरण के समय केन्द्रीय खाद्य निगम सरकार के किस को स्थानान्तरण पत्र पर से। | की तारीख |
|------|-------------------------------------|--|--|----------|
|------|-------------------------------------|--|--|----------|

| 1 | 2 | 3 | 4 | 5 |
|----|--------------------|--------------|------------------|---------|
| 1. | श्री पी० पी० खन्ना | सहायक निदेशक | उप निदेशक | 24-6-78 |
| 2. | श्री आर० पी० गोयल | लेखाकार | कार्यालय अधीक्षक | 1-3-69 |

| 1. | 2 | 3 | 4 | 5 |
|----|-----------------------------|-----------------|-----------------------------------|---------|
| 3. | श्री पी० के० गोपा- लन | — | वरिष्ठ लिपिक | 1-3-69 |
| 4. | श्री के० एस० सुन्दर सिंह | वरिष्ठ रक्षक | गोदाम वरिष्ठ गोदाम रक्षक | 14-6-77 |
| 5. | श्री पी० परमेश्वरन | टैली लिपिक | गोदाम रक्षक | 1-1-76 |

[सं० 52/7/74-एफ० सी० III (बास्वूम-12)]

कुंज बिहारी अवर सचिव

ORDER

S.O. 164.—Whereas the Central Government has ceased to perform the functions of purchase, storage, movement, transport, distribution and sale of foodgrains done by the Department of Food, the Regional Directorates of Food, the Procurement Directors and the Pay & Accounts Offices of the Department of Food which under Section 13 of the Food Corporations Act, 1964 (37 of 1964) are the functions of the Food Corporation of India;

And whereas the following officers and employees serving in the Department of Food, the Regional Directorate of Food, the Procurement Directorates and the Pay & Accounts Offices of the Department of Food and engaged in the performance of the functions mentioned above have not, in response to the Circular of the central Government dated the 16th April, 1971 intimated, within the date specified therein, their intention of not becoming employees of the Food Corporation of India as required by the proviso to sub-Section (I) of Section 12A of the said Act;

Now, therefore, in exercise of the powers conferred by Section 12A of the Food Corporations Act, 1964 (37 of 1964) as amended upto date the Central Government hereby transfer the following officers and employees to the Food Corporation of India with effect from the date mentioned against each of them.

| Sl. No. | Name of Officer/ employees. | Permanent post held under the Central Govt. | Post held under the Central Govt. at the time of transfer | Date of transfer to the FCI |
|---------|-----------------------------|---|---|-----------------------------|
| 1. | Shri P.P. Khanna | Assistant Director | Deputy Director | 24-6-78 |
| 2. | Shri R.P. Goel | Accountant | Office Superintendent | 1-3-69 |
| 3. | Shri V.K. Gopalan | — | Senior Clerk | 1-3-69 |
| 4. | Shri K.S. Sunder Singh | Sr. Godown Keeper | Sr. Godown Keeper | 14-6-77 |
| 5. | Shri V. Parameswaran | Tally Clerk | Godown Keeper | 1-1-76 |

[No. 52/7/74-FC. III (Vol. XII)]

KUNJ BEHARI, Under Secy.

पर्यटन और नागरिक विमानन मंत्रालय

नई दिल्ली, 16 दिसम्बर 1978

का० खा० 165.—चाय निगम अधिनियम 1953 (1953 का 27) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा एयर इंडिया के उप-प्रबन्ध निदेशकों, सर्वश्री सी० एल० शर्मा तथा आई० डी० सेठी को तत्काल तथा अगले आदेशों तक एयर इंडिया के निदेशक मंडल में निदेशक नियुक्त करती है।

[सं० ए० वी० 18013/1/78-ए० सी]

सी० आर० गायत्री, अवर सचिव

MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 16th December, 1978

S.O. 165.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) the Central Government hereby appoints S/Shri C. L. Sharma and I. D. Sethi, Dy. Managing Directors, Air-India as Directors on the Board of Air India with immediate effect and until further orders.

[No.A.V. 18013/1/78-AC]

C. R. GAYATHRI, Under Secy.

निर्माण और आवास मंत्रालय

नई दिल्ली, 15 दिसम्बर, 1978

का० खा० 166.—यतः केन्द्रीय सरकार का दिल्ली की बृहत योजना के क्षेत्रीय विकास योजना में नीचे लिखे क्षेत्रों के विषय में कुछ संशोधन करने का प्रस्ताव है जिन्हें नोटिस संख्या एक 20(10)/78-एम० पी० दिनांक 23 दिसम्बर, 1978 को दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 44 के अनुबन्धों के अनुसार 30 दिन के भीतर आपत्तियाँ/सुझाव मांगने के लिए प्रकाशित किए गए जैसा कि उक्त अधिनियम की धारा 11-ए की उप-धारा (3) में अपेक्षित है।

और यतः उपर्युक्त संशोधन के विषय में कोई आपत्तियाँ भयवा सुझाव प्राप्त नहीं हुए हैं, केन्द्रीय सरकार ने दिल्ली की बृहत योजना और क्षेत्रीय विकास योजना में संशोधन करने का निश्चय किया है।

अतः उक्त अधिनियम की धारा 11-ए की उपधारा (2) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा दिल्ली के लिए मुख्य योजना क्षेत्रीय विकास योजना में भारत के राजपत्र 3 इस अधिसूचना की प्रकाशन की तारीख से निम्नलिखित संशोधन करता है, यथा :—

"क्षेत्र डी-17, 18, 19, 20 एवं एक 2 व 3 के सम्मिश्रित क्षेत्रीय विकास नक्शे में पड़ने वाले 0.17 हेक्टेयर (0.42 एकड़ माप के) भूखण्ड जो उत्तर व पूर्व में निजामुद्दीन गांव और दक्षिण व पश्चिम में निजामुद्दीन वेस्ट से घिरा हुआ है, का उपयोग "आवासीय" से "स्थानीय व्यवसायिक" (मीट मार्केट) में परिवर्तित कर दिया गया है।

[संख्या के० 13012/8/77-यू० डी० आई० ए०]

MINISTRY OF WORKS AND HOUSING

New Delhi, the 15th December, 1978

S.O. 166.—Whereas certain modifications, which the Central Government proposes to make in the Master Plan for Delhi/Zonal Development Plan regarding the areas mentioned hereunder, were published with Notice No. F. 20(10)/78-M.P. dated the 23rd September, 1978 in accordance with the provisions of section 44 of the Delhi Development Act, 1957 (61 of 1957), inviting objections/suggestions, as required by

sub-section (3), of section 11-A of the said Act, within thirty days from the date of the said notice :

And whereas no objections or suggestions have been received with regard to the aforesaid modifications; the Central Government have decided to modify the Master Plan for Delhi and Zonal Development Plan;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi/Zonal Development Plan with effect from the date of publication in the Gazette of India, namely :

MODIFICATIONS

"The land use of an area, measuring 0.17 hect. (0.42 acres), falling in the Composite Zonal Development Plan for Zones D-17, 18, 19, 20 & F-2 & 3 and surrounded by Nizamuddin Village in the north and east and Nizamuddin West in the west and south, is changed from 'residential' to 'local Commercial' (Meat Market)"

[No. K-13012/8/77-UDI (A)]

नई दिल्ली, 16 दिसम्बर, 1978

का० खा० 167.—यतः केन्द्रीय सरकार का दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 44 के अनुबन्धों के अन्तर्गत दिल्ली की बृहत योजना में आवासीय भूखण्ड-भूखण्ड भूखण्डों हेतु मान्य क्षेत्रीय विनियमों में कृत्रिम संशोधन करने का प्रस्ताव है तथा दिनांक 12 अगस्त, 1978 की अधिसूचना सं० एक 3(35)/77-एम० पी० भाग-1 द्वारा उक्त अधिनियम की धारा 11-क की उपधारा (3) में अपेक्षित नोटिस की तारीख से 30 दिन के भीतर आपत्तियाँ/सुझावों को आमन्त्रित करने के लिए प्रकाशित किया गया था,

और यतः केन्द्रीय सरकार ने पूर्वोक्त संशोधनों के सम्बन्ध में कोई आपत्ति या सुझाव प्राप्त नहीं हुए हैं, दिल्ली की बृहत योजना में संशोधन करने का निश्चय किया है,

अतः, यतः उक्त अधिनियम की धारा 11-क की उपधारा (2) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार दिल्ली की उक्त बृहत योजना में उस तारीख से निम्नलिखित संशोधन करती है जिस तारीख को यह अधिसूचना भारत के राजपत्र में छपेगी,

संशोधन :

बृहत योजना के क्षेत्रीय तथा उप क्षेत्रीय विनियमों से सम्बन्धित अध्याय के परिच्छेद -11 (क्षेत्रीय विनियमों) की धारा ए० में "क्षेत्रीय उपयोग की आवश्यकताओं की व्यवस्था" के शीर्षक के पैरा 5 में :—

पृष्ठ 55 पर मब (बी) "आवासीय उपयोग क्षेत्र" मान शीर्षक के अन्तर्गत भू-खण्ड आच्छादन" हे सारणी के मब (I) के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा :—

प्रत्येक मंजिल पर आच्छादन

- (1) (क) 100 वर्गगज (83.61 वर्गमीटर) तक 66%
(ख) 100 वर्गगज (83.61 वर्गमीटर) से अधिक और 300 वर्गगज (250.83 वर्गमीटर) तक 60%
[सं० ओ-16021/8/77-यू० डी० आई० ए०]

एच० आर० गोयल, अवर सचिव

New Delhi, the 22nd December, 1978

S.O. 167.—Whereas certain modifications, which the Central Government proposes to make in Zoning Regulations applicable to the residential individual plots in the Master Plan for Delhi mentioned hereunder were published with Notice No. F. 3(35)/77-M.P. P. I dated the 12th August, 1978 in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (61 of 1957), inviting objec-

tions/suggestions, as required by the sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice ;

And whereas no objections or suggestions have been received with regard to the aforesaid modifications; the Central Government have decided to modify the Master Plan for Delhi;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi with effect, from the date of publication of this notification in the Gazette of India, namely :

MODIFICATIONS

"In paragraph 5, entitled "PROVISION REGARDING REQUIREMENTS IN USE ZONES" occurring in Section A (Zoning Regulations) of Chapter II of the test of the Master Plan dealing with Zoning and Sub-Division Regulations :-

At page 55, against item (b), "Plot coverage" under the heading "Residential Use Zone", item (i) in the Table shall be substituted by the following :—

| | Coverage on each floor... |
|---|---------------------------|
| (1) (a) Upto 100 sq. yds. (83.61 sq. mtrs.). | 66.3% |
| (b) Above 100 sq. yds. (83.61 sq. mtrs.) not exceeding 300 sq. yds. (250.83 sq. mtrs.). | 60% |

[No. O-16021/8/77-UDIA]
H. R. GOEL, Under Secy.

प्रेस आयोग

नई दिल्ली, 6 जनवरी, 1979

प्रेस आयोग द्वारा विनियमित की जाने वाली कार्यविधि

क्र० आ० 168—प्रेस आयोग का गठन जांच आयोग के (केन्द्रीय) नियम, 1972 के नियम 5 के अनुच्छेद (8) में प्रदत्त शक्तियों के अधीन सूचना एवं प्रसारण मन्त्रालय द्वारा किया गया था जो भारत सरकार के असाधारण राजपत्र संख्या 2/1/77-प्रेस दिनांक 29 मई 1978 के भाग 1 की धारा 1 में प्रकाशित हुआ था, तथा उसी के अधीन प्रेस आयोग अपनी कार्यविधि के विनियमित करने हेतु निम्नलिखित नियमावली बनाता है :—

- (1) प्रेस आयोग का मुख्य कार्यालय नई दिल्ली में होगा (6 कोटला मेन, नई दिल्ली-110002)।
- (2) केन्द्रीय सरकार की छुट्टियों को छोड़कर अन्य सभी कार्य दिवसों को आयोग के कार्यालय का समय प्रातः 10 बजे से अपराह्न 1.30 बजे तक और अपराह्न 2.00 से सायं 5.00 बजे तक रहेगा।
- (3) आयोग की बैठकें 6 कोटला मेन, नई दिल्ली-110002 के साथ-साथ भारत के दूसरे स्थानों में भी होंगी, जहाँ वह उपयुक्त समझेगा। बैठकों के दिन, समय व स्थान की सूचना समय-समय पर अधिसूचित की जायेगी।
- (4) आयोग की सुनवाईयें जनता के लिए खुली रहेगी।
- (5) अब आयोग को किसी शपथपत्र की आवश्यकता होगी तो शपथपत्र किसी प्रथम वर्ग के मैजिस्ट्रेट, नोटरी पब्लिक या विधि द्वारा शपथ लेने के लिए अधिकृत किसी अन्य प्राधिकारी के सामने लिया जा सकेगा। शपथपत्र प्रेस आयोग के सचिव,

6 कोटला मेन नई दिल्ली-110002 को "रजिस्टर्ड ऐं० जी" से भेजा जा सकता है या व्यक्तिगत रूप से सचिव को अथवा उनके द्वारा अधिकृत आयोग के किसी अन्य अधिकारी को दिया जा सकता है, तथा उस की रसीद प्राप्त की जा सकती है।

- (6) अगर शपथपत्र अंग्रेजी को छोड़कर किसी अन्य भाषा में हो तो उसके साथ उसका अंग्रेजी अनुवाद लगा होगा चाहिए।
- (7) शपथ में शपथपत्र अभिमात्री के द्वारा निम्नलिखित रूप में स्थापित किया जाएगा :

"स्थापित किया जाता है कि ऊपरलिखित शपथपत्र के पैरा-ग्राफ... का मेरा कथन मेरी अपनी निजी जानकारी के अनुसार सही है और पैराग्राफ... मेरे द्वारा प्राप्त और सही समझी गई सूचना पर आधारित है"।

अगर ऐसी जानकारी किसी अभिलेख या रिकार्ड से मिली हो तो उस अभिलेख और जिसके पास ऐसा अभिलेख हो, उसका विवरण और स्वरूप दिया जाना चाहिए। अगर शपथपत्र का कोई कथन किसी प्राप्त सूचना से स्थापित हो तो ऐसी सूचना का स्त्रोत, अगर संभव हो, दिया जाना चाहिए।

- (8) मैजिस्ट्रेट या कोई प्राधिकारी जिसके समक्ष शपथपत्र लिया जाए, शपथपत्र में यह पृष्ठांकन करेगा :

"अभिमात्री जो... द्वारा पहचाना गया है, की पहचान से मैं संतुष्ट हूँ या जिसे मैं स्वयं जानता हूँ, ने मेरे सामने शपथ ली है। शपथपत्र को अभिमात्री के सामने पूरा पढ़कर सुना दिया गया है और उसने इसे सही स्वीकार करके आज... दिनांक... 19... को... बजे हस्ताक्षर कर लिए हैं।"

- (9) यदि कोई सामग्री या कागजात अभिमात्री के पास या उसके नियंत्रण में नहीं है तो वह उस स्त्रोत या व्यक्ति की जानकारी देगा जिसके पास वह सामग्री या कागजात उपलब्ध है, जिससे कि आयोग आवश्यकता पड़ने पर उन्हें प्राप्त कर सके।
- (10) साक्ष्य अधिनियम के तकनीकी नियम आयोग के सामने गवाहों की रिकार्डिंग तथा ग्राह्यता को नियंत्रित नहीं करने। तथापि माक्ष्य अधिनियम के उपबंधों में निहित प्राकृतिक न्याय की भावना तथा सुलभ सिद्धांतों का मार्ग दर्शन के लिए अनुसरण किया जाएगा।
- (11) आयोग के सचिव को 1972 की नियमावली के नियम 4(2) तथा (8) के अधीन आयोग द्वारा अपनी मुहर लगा कर जारी समन तथा प्रत्येक अन्य कागज पर हस्ताक्षर करने का अधिकार है।
- (12) जांच आयोग अधिनियम तथा नियमों के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आयोग उन व्यक्तियों को समन भेज सकता है, जिनको आयोग के सामने गवाही देने तथा अन्य कागजात प्रस्तुत करने के लिए जरूरत हो तथा आयोग के सचिव को ऐसा समन तथा अन्य कागजातों पर जो आयोग द्वारा जारी किए जाएं, हस्ताक्षर करने और आयोग की मुहर लगाने का अधिकार प्राप्त है।
- (13) आयोग के कोर्ट मास्टर को आयोग के समान गवाही देने वाले व्यक्तियों को शपथ दिलाने का अधिकार है।
- (14) आयोग अपनी इच्छा से या किसी व्यक्ति या पार्टी द्वारा दिए गए आवेदन पर, अर्जों, शपथपत्र या अन्य कागजातों में से उनका कोई भी भाग काट या हटा सकता है या आयोग

को दिये गये कोई भी कागजात लौटा सकता है। जो आयोग की राय में असंगत, अनावश्यक रूप से संतापकारी या गान्धी गलौज भरे या निन्दाजनक हैं।

(15) कार्यविधि को जब कभी जरूरत हो, अधिनियम और उसके अधीन बने नियमों के अनुसार विनियमित किया जा सकता है।

(16) आयोग, जब कभी जरूरी हो, किसी भी प्रक्रिया सम्बन्धी विनियम को बदलने, उसमें सुधार करने, उसे हटाने या उसे बढ़ा सकने का अधिकार अपने पास सुरक्षित रता है।

आयोग के आदेश से जारी

[सं० 17/1/78-नेस आयोग]

म० बा० देसाई, सचिव

PRESS COMMISSION

New Delhi, the 6th January, 1979

Regulations of Procedure to be followed by Press Commission

S.O. 168.—In exercise of the powers conferred on it by Clause (8) of Rule 5 of the Commissions of Inquiry (Central) Rules, 1972, the Press Commission (constituted vide Ministry of Information and Broadcasting, Government of India, gazetted extraordinary notification No. 2/1/77-Press dated May 29, 1978, under Part I, Section (1) hereby frames the following regulations to regulate its procedure, namely :—

- (1) The Headquarters of the Commission shall be New Delhi (No. 6, Kotla Lane, New Delhi-110002).
- (2) The Office of the Commission shall function from 10.00 a.m. to 1.30 p.m. and 2.00 p.m. to 5.00 p.m. on all days other than holidays observed by the Central Government.
- (3) The Commission will hold its sitting at 6 Kotla Lane, New Delhi-110002 and also at such other places in India as it deems appropriate. The days, timings and venues of different sittings of the Commission will be notified from time to time.
- (4) All the hearings of the Commission will be open to the public except when the Commission may, for any sufficient reason, think it fit to sit in camera.
- (5) When an affidavit is required by the Commission, the affidavit may be sworn before a Magistrate of the 1st class, a notary public or other authority legally empowered to administer oaths. The affidavit may be sent to Secretary of the Commission, 6-Kotla Lane, New Delhi-110002 by registered post with acknowledgement due, or personally handed over to the Secretary of the Commission, or some other officer authorised by the Commission, in this behalf, and a receipt obtained.
- (6) If the affidavit is in a language other than English, it shall be accompanied by a translation thereof in English.
- (7) Towards the end, the affidavit shall be verified by the deponent in the following manner :—
“Verified that the statements made in paragraph.....
.....of the above affidavit are true to my personal knowledge and those in paragraph.....
.....from information received and believed to be true by me”.

If such information is derived from any document or record, the particulars and nature of such document and person in control or custody thereof should be indicated. If any of the statements in the affidavit is verified from information received, the source of such information, if possible, should be disclosed.

(8) The Magistrate or the authority before whom the affidavit is sworn, shall make this endorsement thereon :

“Sworn before me by the deponent, who is identified to my satisfaction byor is personally known to me. The affidavit has been read out in full to the deponent who has signed it after admitting it to be correct, this..... day of..... 19.....at.....

- (9) If any material or document is not in the possession or control of the deponent, he will disclose the source or person who is in the custody thereof so as to enable the Commission to obtain the material, if necessary.
- (10) Technical rules of the Evidence Act as such do not govern the recording and admissibility of evidence before the Commission. However, the spirit and fundamental principles of natural justice underlying the provisions of the Evidence Act will be followed as a guide.
- (11) The Secretary to the Commission has the authority under the Rule 4(2) and (6) of the 1972 Rules to sign summons and every other process issued by the Commission under its seal.
- (12) In exercise of the powers conferred on the Commission by the Commissions of Inquiry Act and Rules to issue summons to persons whose attendance may be required by the Commission either to give evidence or to produce documents, the Secretary of the Commission is empowered to sign such summons and other papers that may be issued by the Commission and affix the seal of the Commission thereon.
- (13) The Court Master of the Commission has the authority to administer oath to persons giving evidence before the Commission.
- (14) The Commission may, either sue motu or on the application made by any person or party, delete or expunge any matter from any petition, affidavit or other document, or return any document presented to the Commission, which in the opinion of the Commission, is irrelevant or needlessly offensive, scurrilous or scandalous.
- (15) Further regulations of procedure, consistent with the Act and the Rules framed thereunder, may be devised as and when the necessity for the same arises.
- (16) The Commission reserves its right to alter, modify, delete or add to any of these regulations of procedure at any time during the inquiry as and when it considers necessary.

By order of the Commission.

[No. 17/1/78-PC.]

M. V. DESAI, Secy.

संचार मंत्रालय

(हफ्ततार बोर्ड)

नई दिल्ली, 19 दिसम्बर, 1978

का० बा० 169.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने उरई टेलीफोन केन्द्र में दिनांक 16-1-79 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-3/78 पी० एच० बी०]

MINISTRY OF COMMUNICATIONS (P & T Board)

New Delhi, the 19th December, 1978

S.O. 169.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-1-1979 as the date on which the Measured Rate System will be introduced in Orai Telephone Exchange, U.P. Circle.

[No. 5-3/78-P.H.B.]

का० आ० 170.—स्थायी आदेश संख्या 637, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने नम्बुर व पेरेचेरला टेलीफोन केन्द्र में दिनांक 16-1-79 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-8/78 पी० एच० बी०]

S.O. 170.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-1-1979 as the date on which the Measured Rate System will be introduced in Nambur and Perecherla Telephone Exchanges, Andhra Circle.

[No. 5-8/78-PHB]

नई दिल्ली, 21 दिसम्बर, 1978

का० आ० 171.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने राजमपेट अकिपट्ट, चितवल, चक्रापनयानिपेटा, इन्दलूर, नन्दलूर, पुलमपेट, कला-बरीपली व पोलुरवेंगनगारीपली टेलीफोन केन्द्रों में दिनांक 16-1-79 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-8/78 पी० एच० बी०]

New Delhi, the 21st December, 1978

S.O. 171.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-1-1979 as the date on which the Measured Rate System will be introduced in Rajampet, Akipadu, Chitvel, Chakrapanayanipeta, Induluru, Nandaluru, Pullampet, Kalavaripalli and Polurivengannagaripalli Telephone Exchanges, Andhra Circle.

[No. 5-8/78-PHB]

नई दिल्ली, 2 जनवरी, 1979

का० आ० 172.—स्थायी आदेश संख्या 627 दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक तार महानिदेशक ने बुन्दी टेलीफोन केन्द्र में दिनांक 16-1-1979 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[सं० 5-4/79 पी० एच० बी०]

त्रिलोकी नाथ, सहायक महानिदेशक (पी० एच० बी०)

MINISTRY OF COMMUNICATIONS

New Delhi, the 2nd January, 1979

S.O. 172.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16th January, 1979 as the date on which the Measured Rate System will be introduced in Bundi Telephone Exchange, Rajasthan Circle.

[No. 5-4/79-PHB]

TRILOK NATH, Assistant Director General (PHB)

पूति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

नई दिल्ली, 20 दिसम्बर, 1978

का० आ० 173.—विव्यापित व्यक्ति (प्रतिकर पुनर्वास अधिनियम, 1954 (1954 को 44) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, निर्माण और आवास तथा पूति और पुनर्वास मंत्रालय (पुनर्वास विभाग), नई दिल्ली को अधिसूचना सं० 1(4)/विशेष सेल/77-एस० एस०-II(5) दिनांक 20 मई, 1977 का अधिक्रमण करते हुए, केन्द्रीय सरकार इसके द्वारा उत्तर प्रदेश सरकार को राजस्व परिषद, निष्कांत संपत्ति अनुभाग लखनऊ, में कार्य कर रहे प्रबंध अधिकारी को अपने कार्य के अतिरिक्त उक्त अधिनियम द्वारा या उसके अधिनियम प्रबंध अधिकारी को सौंपे गए कार्यों का निष्पादन करने के लिए, उत्तर प्रदेश राज्य में भुआवका पूल की भूमियों तथा सम्पत्तियों के बारे में, प्रबंध अधिकारी के रूप में नियुक्त करती है।

[सं० 1(4)/विशेष सेल/77-एस० एस० II]

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 20th December, 1978

S.O. 173.—In exercise of the powers conferred by Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), and in supersession of the notification of the Government of India in the Ministry of Works, Housing, Supply and Rehabilitation (Department of Rehabilitation), New Delhi No. 1(4)/Spl. Cell/77-SS. II(V) dated 20th May, 1977, the Central Government hereby appoints the managing Officer working in Revenue Council, Govt. of U.P., Evacuee Property Section, Lucknow as Managing Officer for the purpose of performing in addition to his own duties, the functions assigned to a Managing Officer by or under the said Act, in respect of the lands and properties forming part of the Compensation Pool within the State of Uttar Pradesh.

[No. 1(4)/Spl. Cell/77-SS. II]

का० आ० 174.—निष्कांत संपत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, निर्माण और आवास तथा पूति और पुनर्वास मंत्रालय (पुनर्वास विभाग) नई दिल्ली की अधिसूचना सं० 1(4)/विशेष सेल/77 एस० एस०-11(iv) दिनांक 20 मई, 1977 का अधिक्रमण करते हुए, केन्द्रीय सरकार इसके द्वारा उत्तर प्रदेश सरकार को राजस्व परिषद, निष्कांत संपत्ति अनुभाग, लखनऊ में कार्य कर रहे अधिकारी को, अपने कार्य के अतिरिक्त उक्त अधिनियम द्वारा या उसके निष्पादन करने के लिए, उत्तर प्रदेश में निष्कांत संपत्तियों के संबंध में, सहायक अधिरक्षक निष्कांत संपत्ति के रूप में नियुक्त करती है।

[सं० 1(4)/विशेष सेल/77-एस० एस०-II]

डीना नाथ असीजा, संयुक्त निदेशक

S.O. 174.—In exercise of the powers conferred by Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950), and in supersession of the notification of the Government of India in the Ministry of Works, Housing, Supply and Rehabilitation (Department of Rehabilitation), New Delhi No. 1(4)/Spl. Cell/77-SS. II(iv) dated 20th May, 1977, the Central Government hereby appoints the Managing Officer working in Revenue Council, Evacuee Property Section, Government of Uttar Pradesh as Assistant Custodian of Evacuee Property for the purpose of discharging the duties imposed on the Custodian by or under the said Act in respect of evacuee properties in the State of Uttar Pradesh.

[No. 1(4)/Spl. Cell/77-SS. II]

D. N. ASIJA, Joint Director

श्रम संशोधन**जावेद**

नई दिल्ली, 8 दिसम्बर, 1978

का०आ० 175.—हिन्दुस्तान जिंक लिमिटेड, उदयपुर के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिसका प्रतिनिधित्व दरीबा खान मजदूर संघ करता है, एक औद्योगिक विवाद विद्यमान है ;

और उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम 1947 की धारा 10-क की उपधारा (1) के उपबंधों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्तियों के माध्यम से लिए निर्देशित करने का करार लिया है और उक्त माध्यम करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः अब, उक्त अधिनियम, की धारा 10-क की उपधारा (3) के उपबंधों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यम करार को एतद्वारा प्रकाशित करती है ।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम :

नियोजकों का प्रतिनिधित्व करने वाले : 1. श्री एम दत्ता, निदेशक (खनन संक्रियाएं), हिन्दुस्तान जिंक लिमिटेड, 6 न्यू, फतेहपुरा, उदयपुर ।

2. श्री बी पी० जयकुमार, उप-महाप्रबन्धक (कार्मिक) हिन्दुस्तान जिंक लिमिटेड, 6 न्यू फतेहपुरा, उदयपुर ।

कर्मचारों का प्रतिनिधित्व करने वाले : 1. श्री बी० चौधरी, महा मंत्री, दरीबा खान मजदूर संघ, डाकघर जाबार, उदयपुर ।

2. श्री के० आर० चरण, उपाध्यक्ष, दरीबा खान मजदूर संघ, डाकघर दरीबा, उदयपुर ।

हिन्दुस्तान जिंक लिमिटेड, उदयपुर (जिसे इसके बाद 'प्रबंधतंत्र' कहा गया है) के बीच निम्नलिखित विवादों को श्री जे० जी० कुमार-मंगलम, प्रबन्ध निदेशक, बर्ड एण्ड कंपनी, कलकत्ता और श्री कान्ति मेहता, अध्यक्ष इंडियन नेशनल माइन वर्कर्स फेडरेशन, एलगिन रोड, कलकत्ता-20 को विश्वसन के लिए भेजने का करार हुआ है ।

1. विनिर्दिष्ट विवाद—ग्रस्त विषय :

(1) क्या संघ की यह मांग कि उन श्रमिकों को, जिन्हें कम्पनी की ओर से क्वार्टर नहीं दिए गए हैं और जो गैर-नगरपालिका क्षेत्रों में रह रहे हैं, मूल वेतन के 7½% को बराबर मकान किराया भत्ता भरावे कि न्यूनतम 30 रुपये प्रतिमाह हो, दिया जाना चाहिए न्यायोचित है ? यदि नहीं, तो संबंधित श्रमिक अन्य किस अनुतोष के हकदार हैं ? और किस तारीख से ?

(2) क्या संघ की यह मांग कि उदयपुर नगर जैसे नगरपालिका क्षेत्रों में रहने वाले श्रमिकों को मूल वेतन का 15% मकान किराया भत्ता के रूप में दिया जाना चाहिए और दिल्ली, कलकत्ता आदि नगरों में रहने वाले श्रमिकों को नगर प्रतिकर भत्ते के अतिरिक्त मूल वेतन का 30 प्रतिशत मकान किराया भत्ता के रूप में दिया जाना चाहिए, न्यायोचित और उचित है ? यदि नहीं तो संबंधित श्रमिक अन्य किस अनुतोष के हकदार हैं ? और किस तारीख से ?

(3) क्या संघ की यह मांग कि उन श्रमिकों के परिवारों को, जो सेवा-निवृत्ति से पहले मर जाते हैं, विशेष उपदान (मृत्यु प्रसुविधा)

दिया जाना चाहिए, न्यायोचित और उचित है ? यदि हां, तो क्या योजना होनी चाहिए और यदि नहीं, तो संबंधित श्रमिकों के परिवार अन्य किस अनुतोष के हकदार हैं ?

2. हिन्दुस्तान जिंक लिमिटेड के उक्त यूनिट में लगभग 520 नियोजित श्रमिकों की कुल संख्या

3. प्रभावित या सम्भाव्यतः प्रभावित सभी संबंधित श्रमिक होने वाले श्रमिकों की संख्या

हम यह करार भी करते हैं कि मध्यस्थों का सर्वसम्मत विनिर्णय अन्तिम होगा और दोनों पक्षकारों पर बाध्यकार होगा और यदि दोनों मध्यस्थों के बीच कोई मतभेद हो, तो उसका निपटारा अधिनिर्णायक (अप्यार) द्वारा किया जाएगा, जिसकी नियुक्ति संयुक्त रूप से मध्यस्थों द्वारा की जाएगी । दोनों मध्यस्थों के बीच किसी प्रकार का मतभेद होने पर अधिनिर्णायक का निर्णय अन्तिम होगा और पक्षकारों पर बाध्यकार होगा ।

मध्यस्थ अपना पंजाब सीन मास की कालावधि या इतने और समय के भीतर जो उनके द्वारा आवश्यक समझा जाए और पारस्परिक करार द्वारा बढ़ाया जाए होंगे ।

यह करार भी किया जाता है कि इन मांगों में से किसी एक के संबंध में मध्यस्थों द्वारा दिए गए लाभ, यदि कोई हो, 31-12-1980 तक लागू रहेंगे और उक्त तारीख अर्थात् 31-12-1980 तक संबंधित मांग/मांगों को उठाया नहीं जाएगा/किर शुरू नहीं किया जाएगा ।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले

1. ह०/- (एन० दत्ता)
निदेशक (खनन संक्रियाएं)

2. ह०/- (बी० पी० जयकुमार)
उप-महाप्रबन्धक (कार्मिक)

उदयपुर

24-11-1978

कर्मचारों का प्रतिनिधित्व करने वाले

1. ह०/- (बी० चौधरी)
महामंत्री

2. ह०/- (के० आर० चरण)
उपाध्यक्ष

साक्षी

ह०/- (पद्मा लाल)

आर्गेनाइजिंग सेक्रेटरी, दरीबा खान मजदूर संघ

ह०/- (मोती लाला)

प्रबन्धक (आई० आर० एंड बल्लू) हिन्दुस्तान जिंक लि० एण्ड ओ०

प्रतिनिधि :

1. सचिव, भारत सरकार,
श्रम और रोजगार मंत्रालय,
श्रम शक्ति भवन, रफी मार्ग, नई दिल्ली ।

2. मुख्य श्रमायुक्त (केन्द्रीय) भारत सरकार, नई दिल्ली ।

3. सहायक-क्षेत्रीय श्रमायुक्त (केन्द्रीय) भारत सरकार, कोटा

4. क्षेत्रीय श्रमायुक्त (केन्द्रीय) अजमेर ।

[संख्या एन-29013/3/78—डी 3 बी]

MINISTRY OF LABOUR

ORDER

New Delhi, the 8th December, 1978

S.O. 175.—Whereas an industrial dispute exists between the employers in relation to the Management of Hindustan Zinc Limited, Udaipur and their workmen represented by The Dariba Khan Mazdoor Sangh ;

And whereas, the said employers and workmen have, by a written agreement in pursuance of the provisions of the sub-section (1) of section 10-A of the Industrial Disputes Act, 1947, agreed to refer the said dispute to arbitration by the persons specified therein and a copy of the said agreement has been made available to the Central Government ;

Now, therefore, in pursuance of sub-section (3) of section 10-A of the said Act, the Central Government hereby publishes the said Agreement—

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)
BETWEEN

Representing employer.—(1) Shri M. Datta, Director (Mining Operations), Hindustan Zinc Ltd., 6-New Fatchpura, Udaipur

(2) Shri V. P. Jayakumar, Dy. General Manager (Pers.), Hindustan Zinc Ltd., 6-New Fatchpura, Udaipur.

Representing workmen.—Shri B. Choudhury, General Secretary, Dariba Khan Mazdoor Sangh, P.O. Zawar, Udaipur.

Shri K. R. Charan, Vice President, Dariba Khan Mazdoor Sangh, P.O. Dariba, Udaipur.

It is hereby agreed between Hindustan Zinc Limited, Udaipur (hereinafter referred to as the "Management") and The Dariba Khan Mazdoor Sangh (hereinafter referred to as the "Sangh") to refer the following disputes to the arbitration of Shri J.G. Kumaramangalam, Managing Director, Bird & Company, Calcutta and Shri Kanti, Mehta, President, Indian National Mine Workers Federation, Elgin Road, Calcutta-20.

1. Specific matters under dispute.—(i) Whether the demand of the Sangh that the workers who have not been provided with quarters by the Company and residing in non-municipal areas should be paid House Rent Allowance equivalent to 7-1/2 per cent of basic pay subject to a minimum of Rs. 30 per month, is justified ? If not, to what other relief workmen concerned are entitled to ? And from what date ?

(ii) Whether the demand of the Sangh that the workers residing in municipal areas like Udaipur City should be paid 15 per cent of basic pay as House Rent Allowance and the workers residing in cities like Delhi, Calcutta etc. should be paid 30 per cent of basic pay as House Rent Allowance over and above the City Compensatory Allowance, is justified and proper ? If not, to what other relief the workmen concerned are entitled to ? And from what date ?

(iii) whether the demand of the Sangh that the families of workmen who die before retirement should be paid special Gratuity (death benefit) is justified and proper ? If so, what should be the scheme and if not, to what other relief the families of the workmen concerned are entitled to ?

2. Total number of workmen employed in the aforesaid Unit of Hindustan Zinc Limited .. Approx 520

3. Estimated number of workmen affected or likely to be affected. .. All concerned workmen.

We further agree that the unanimous decision of the Arbitrators shall be final and binding on both the parties and in case, there is any difference of opinion between the two Arbitrators, the same shall be resolved by an Umpire who shall be appointed by the Arbitrators, jointly. In the event of any difference of opinion between the two Arbitrators, the decision of the Umpire shall be final and binding on both the parties.

The Arbitrators shall make their Award within a period of three months or within such further time as is extended by them, if found necessary and by mutual agreement between the parties.

It is further agreed that the benefits, if any, awarded by the Arbitrators in respect of any of the demands, shall remain in force upto 31-12-1980 and the concerned demand/demands will not be raised/reopened till the said date, i.e. 31-12-1980.

Signature of the parties :

| | |
|--|--|
| Representing employer | Representing workmen : |
| 1. Sd/- (M. Datta) Director (Mining Operations) | Sd/- (B. Choudhary) General Secretary |
| 2. Sd/- (V. P. Jayakumar) Dy. General Manager (Pers.) | Sd/- (K. R. Charan) Vice President |

Udaipur,
24-11-1978.

Witnesses :

Sd/- (Panna Lal)
Org. Secretary,
Dariba Khan Mazdoor Sangh.

Sd/- (Motilal),
Manager (IR&W), HZL, HO.

cc : to :

[No. L-29013/3/78-D. III. B.]

आवेश

कां०भा० 176.—हिन्दुस्तान जिंक लिमिटेड उदयपुर के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व दि मेटल माइन्स मजदूर संघ करता है, एक औद्योगिक विवाद विद्यमान है ;

और उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क की उपधारा (1) के उपबंधों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्तियों के माध्यम से के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यम करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः अब, उक्त अधिनियम की धारा 10-क की उपधारा (3) के उपबंधों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यम करार को एतद्वारा प्रकाशित करती है ।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)

पक्षकारों के नाम :

नियोजकों का प्रतिनिधित्व करने वाले : 1. श्री एम० बत्ता,
निदेशक (खनन सक्रियाएं),
हिन्दुस्तान जिंक लिमिटेड,
6-न्यू फतेहपुरा, उदयपुर
2. श्री बी० पी० जयकुमार,
उप-महा प्रबन्धक (कार्मिक)
हिन्दुस्तान जिंक लिमिटेड,
6-न्यू फतेहपुरा, उदयपुर

कर्मचारों का प्रतिनिधित्व करने वाले : 1. श्री बी० श्रीधरी, महामंत्री,
मेटल माइन्स मजदूर संघ, डाक
घर जावार, उदयपुर ।
2. श्री डाल चन्व,
वरिष्ठ उपाध्यक्ष,
मेटल माइन्स मजदूर संघ,
डाक घर मेटन, उदयपुर

हिन्दुस्तान जिंक लिमिटेड उदयपुर (जिसे इसके बाद "प्रबन्धसंघ" कहा गया है) और मेटन माइन्स मजदूर संघ (जिसे इसके बाद "संघ" कहा गया है) के बीच निम्नलिखित विवादों को श्री जे. जी. कुमार-मंगलम, प्रबन्ध निवेशक, बर्ड एण्ड कंपनी, कलकत्ता और श्री कान्ति मेहता अध्यक्ष, इंडियन नेशनल माइन वर्कर्स फेडरेशन, एलगिन रोड, कलकत्ता-20 को विवाचन के लिए भेजने का करार हुआ है।

1. विनिश्चित विवाद-ग्रस्त विषय :

1. क्या संघ की यह मांग कि उन श्रमिकों को, जिन्हें कंपनी की ओर से क्वार्टर नहीं दिए गए हैं और जो गैर-नगरपालिका क्षेत्रों में रह रहे हैं, मूल वेतन के 7½ प्रतिशत के बराबर मकान किराया भत्ता, यद्यपि कि न्यूनतम 30 रु० प्रतिमाह हो, दिया जाना चाहिए, न्यायोचित है? यदि नहीं, तो संबंधित श्रमिक अन्य किस अनुतोष के हकदार हैं? और किस तरीके से?

2. क्या संघ की यह मांग कि उदयपुर नगर जैसे नगरपालिका क्षेत्रों में रहने वाले श्रमिकों को मूल वेतन का 15 प्रतिशत मकान किराया भत्ता के रूप में दिया जाना चाहिए और दिल्ली, कलकत्ता आदि नगरों में रहने वाले श्रमिकों को नगर प्रतिकर भत्ते के प्रतिरिक्त मूल वेतन का 30 प्रतिशत मकान किराया भत्ता के रूप में दिया जाना चाहिए, न्यायोचित और उचित है? यदि नहीं तो सम्बन्धित श्रमिक अन्य किस अनुतोष के हकदार हैं? और किस तरीके से?

3. क्या संघ की यह मांग कि उन श्रमिकों के परिवारों को, जो सेवा निवृत्ति से पहले मर जाते हैं, विशेष उपदान (मुल्य प्रतुविधा) दिया जाना चाहिए न्यायोचित और उचित है? यदि हाँ, तो क्या योजना होनी चाहिए और यदि नहीं, तो संबंधित श्रमिकों के परिवार अन्य किस अनुतोष के हकदार हैं?

2. हिन्दुस्तान जिंक लिमिटेड के उक्त यूनिट में नियोजित श्रमिकों की कुल संख्या लगभग 520

3. प्रभावित या सम्भावित प्रभावित होने वाले श्रमिकों की संख्या सभी संबंधित श्रमिक

हम यह करार भी करते हैं कि मध्यस्थों का सर्वसम्मति विनिश्चय अंतिम होगा और दोनों पक्षों पर बाध्यकारी होगा और यदि दोनों मध्यस्थों के बीच कोई मतभेद हो, तो उसका निपटारा अधिनिर्णायक (प्रभावर) द्वारा किया जाएगा, जिसकी नियुक्ति संयुक्त रूप से मध्यस्थों द्वारा की जाएगी। दोनों मध्यस्थों के बीच किसी प्रकार का मतभेद होने पर अधिनिर्णायक का निर्णय अंतिम होगा और दोनों पक्षों पर बाध्यकारी होगा।

मध्यस्थ अपना पंचाट तीन मास की कालावधि या इतने और समय के भीतर जो उनके द्वारा आवश्यक समझा जाए और पारस्परिक करार द्वारा बढ़ाया जाए, देगा।

यह करार भी किया जाता है कि इन मांगों में से किसी एक के संबंध में मध्यस्थों द्वारा किए गए लाभ यदि कोई हों, 31-12-1980 तक लागू रहेंगे और उक्त तारीख अर्थात् 31-12-1980 तक संबंधित मांग/मांगों को उठाया नहीं जाएगा/किर शुद्ध नहीं किया जाएगा।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले कर्मकारों का प्रतिनिधित्व करने वाले

ह/- (एम० वस्ता)

निदेशक (खनन संस्थाएं)

ह/- (बी० पी० जयकुमार)

उप महा प्रबन्धक (कामिक)

ह/- (बी० बी० श्रीधरी)

महामंत्री

ह/- (बाल चन्द)

वरिष्ठ उपाध्यक्ष

उदयपुर

24-11-1978.

साक्षी :

1. ह/- (भार० एल० स्वामी), मंत्री, मेटन माइन्स मजदूर संघ
2. ह/- (मोती लाल)

प्रबन्धक (आई० भार० एण्ड, इन्ड्यू),
हिन्दुस्तान जिंक लि०, एच० थ्रो०

प्रतिनिधि :

1. सचिव, भारत सरकार, श्रम और रोजगार मंत्रालय, श्रम शक्ति भवन, रफी मार्ग, नई दिल्ली।
2. मुख्य श्रमायुक्त (केन्द्रीय), भारत सरकार, नई दिल्ली।
3. सहायक क्षेत्रीय श्रमायुक्त (केन्द्रीय) भारत सरकार, कोटा।
4. क्षेत्रीय श्रमायुक्त (केन्द्रीय), अजमेर।

[सं० एल-29013/3/78-ई-3-बी]

ORDER

S.O. 176.—Whereas an industrial dispute exists between the employers in relation to the Management of Hindustan Zinc Limited, Udaipur and their workmen represented by The Maton Mines Mazdoor Sangh ;

And whereas, the said employers and workmen have, by a written agreement in pursuance of the provisions of the sub-section (1) of section 10-A of the Industrial Disputes Act, 1947, agreed to refer the said dispute to arbitration by the persons specified therein and a copy of the said agreement has been made available to the Central Government ;

Now, therefore, in pursuance of sub-section (3) of section 10-A of the said Act, the Central Government hereby publishes the said Agreement.

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)

BETWEEN

Representing employer.—(1) Shri M. Datta, Director (Mining Operations), Hindustan Zinc Ltd., 6-New Fatehpura, Udaipur.

(2) Shri V. P. Jayakumar, Dy. General Manager (Pers.) Hindustan Zinc Ltd., 6-New Fatehpura, Udaipur.

Representing workmen.—Shri B. Choudhury, General Secretary, Maton Mines Mazdoor Sangh, P.O. Zawar, Udaipur.

Shri Dal Chand, Sr. Vice President Maton Mines Mazdoor Sangh, PO Maton, Udaipur.

It is hereby agreed between Hindustan Zinc Limited, Udaipur (hereinafter referred to as the "Management" and The Maton Mines Mazdoor Sangh (hereinafter referred to as the "Sangh") to refer the following disputes to the arbitration of Shri J. G. Kumaramangalam, Managing Director, Bird & Company, Calcutta and Shri Kanti Mehta, President, Indian National Mine Workers Federation, Elgin Road, Calcutta-20.

1. Specific matters under dispute.—(i) Whether the demand of the Sangh that the workers who have not been provided with quarters by the Company and residing in non-municipal areas should be paid House Rent Allowance equivalent to 7-1/2 per cent of basic pay subject to a minimum of Rs. 30 per month, is justified? If not, to what other relief workmen concerned are entitled to? And from what date?

(ii) Whether the demand of the Sangh that the workers residing in municipal areas like Udaipur City should be paid 15 per cent of basic pay as House Rent Allowance and the workers residing in cities like Delhi, Calcutta etc. should be paid 30 per cent of basic pay as House Rent Allowance over and above the City Compensatory Allowance, is justified and proper? If not, to what other relief the workmen concerned are entitled to? And from what date?

(iii) Whether the demand of the Sangh that the families of workmen who die before retirement should be paid special Gratuity (death benefit) is justified and proper? If so, what should be the scheme and if not, to what other relief the families of the workmen concerned are entitled to?

2. Total number of workmen employed in the aforesaid Unit of Hindustan Zinc Limited Approx. 250.

3. Estimated number of workmen affected or likely to be affected. .. All concerned workmen.

We further agree that the unanimous decision of the Arbitrators shall be final and binding on both the parties and in case, there is any difference of opinion between the two Arbitrators, the same shall be resolved by an Umpire who shall be appointed by the Arbitrators, jointly. In the event of any difference of opinion between the two Arbitrators, the decision of the Umpire shall be final and binding on both the parties.

The Arbitrators shall make their Award within a period of three months or within such further time as is extended by them, if found necessary and by mutual agreement between the parties.

It is further agreed that the benefits, if any, awarded by the Arbitrators in respect of any of the demands, shall remain in force up to 31-12-1980 and the concerned demand/demands will not be raised/reopened till the said date, i.e. 31-12-1980.

Signature of the parties:

Representing employer :

1. Sd/- (M. Datta)
Director (Mining Operations)
2. Sd/- (V. P. Jayakumar)
Dy. General Manager (Pers.)

Representing workmen :

- Sd/- (B. Choudhary)
General Secretary
- Sd/- (Dal Chand)
Sr. Vice President

Witnesses :

Sd/- (R. L. Swamy)

Secretary, MMMS.

Sd/- (Motilal),

Manager (IR&W), HZL, HO.

cc : to :

- (1) The Secretary, to the Government of India, Ministry of Labour & Employment, Shram Shakti Bhavan, Rafi Marg, New Delhi.
- (2) The Chief Labour Commissioner (Central), Government of India, New Delhi.
- (3) The Asstt. Regl. Labour Commissioner (Central), Government of India, Kota.
- (4) The RLC(C), Ajmer.

[No. L-29013/3/78-D. III. B.]

प्रवेश

क्रा० आ० 177.— हिन्दुस्तान जिंक लिमिटेड, उदयपुर के प्रबन्धक से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व जावार माइन्स मजदूर संघ करता है, एक औद्योगिक विवाद विद्यमान है; और उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्तियों के माध्यम से के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यम से करार की एक प्रति केन्द्रीय सरकार को भेजी गयी है ;

अतः, अब उक्त अधिनियम की धारा 10-क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यम से करार को एतद् द्वारा प्रकाशित करती है ।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अन्तर्गत)
पक्षकारों के नाम :

नियोजकों का प्रतिनिधित्व करने वाले

1. श्री एम० दत्ता, निदेशक (खनन संकिर्णार), हिन्दुस्तान जिंक लिमिटेड, 6-न्यू फतेहपुरा, उदयपुर ।
2. श्री वी० पी० जयकुमार, उप-महाप्रबन्धक (कार्मिक), हिन्दुस्तान जिंक लिमिटेड, 6-न्यू फतेहपुरा, उदयपुर ।

कर्मचारों का प्रतिनिधित्व करने वाले :—

1. श्री वी० चौधरी, महामंत्री, जावार माइन्स मजदूर संघ, डाकघर जावार, उदयपुर ।
2. श्री मेरुलाल, बरिष्ठ उपाध्यक्ष, जावार माइन्स मजदूर संघ, डाकघर जावार, उदयपुर ।

हिन्दुस्तान जिंक लिमिटेड, उदयपुर (जिसे इसके बाद "प्रबन्ध संघ" कहा गया है) और जावार माइन्स मजदूर संघ (जिसे इसके बाद "संघ" कहा गया है) के बीच निम्नलिखित विवादों को श्री जे० जी० कुमार-मंगलम, प्रबन्ध निदेशक, बर्ड एण्ड कंपनी, कटकता और श्री कान्ति मेहता, अध्यक्ष, इंडियन नेशनल माइन्स वर्कर्स फेडरेशन, एलमिन रोड, कलकत्ता-20 को विवाचन के लिए भेजने का करार हुआ है।

1. विनिश्चित विवाद प्रस्तुत विषय :

(1) क्या संघ की यह मांग कि उन श्रमिकों को, जिन्हें कंपनी की ओर से भर्ता नहीं दिए गए हैं और जो गैर नगरपालिका क्षेत्रों में रह रहे हैं, मूल वेतन के साथे सात प्रतिशत के बराबर मकान किराया भत्ता, बशर्त कि न्यूनतम 30 रुपये प्रतिमाह हो, दिया जाना चाहिए, न्यायोचित है? यदि नहीं, तो संबंधित श्रमिक अन्य किस अनुतोष के हकदार हैं? और किस तारीख से?

(2) क्या संघ की यह मांग कि उदयपुर नगर जैसे नगरपालिका क्षेत्रों में रहने वाले श्रमिकों को मूल वेतन का 15 प्रतिशत मकान किराया भत्ता के रूप में दिया जाना चाहिए और दिल्ली, कलकत्ता आदि नगरों में रहने वाले श्रमिकों को नगर प्रतिकर भत्ते के प्रतिरूपित मूल वेतन को 30 प्रतिशत मकान किराया भत्ता के रूप में दिया जाना चाहिए, न्यायोचित और उचित है? यदि नहीं तो संबंधित श्रमिक अन्य किस अनुतोष के हकदार हैं? और किस तारीख से?

(3) क्या संघ की यह मांग कि उन श्रमिकों के परिवारों को, जो सेवा-निवृत्ति के पहले मर जाते हैं, विशेष उपदान (मृत्यु प्रमुविधा) दिया जाना चाहिए, न्यायोचित और उचित है? यदि हां, तो क्या योजना होनी चाहिए और यदि नहीं, तो संबंधित श्रमिकों के परिवार अन्य किस अनुतोष के हकदार हैं?

2. हिन्दुस्तान जिंक लिमिटेड के उक्त यूनिट में

नियोजित कर्मचारों की कुल संख्या

लगभग 3600

3. प्रभावित या संभावित: प्रभावित होने वाले

कर्मचारों की प्राक्कलित संख्या

सभी संबंधित कर्मकार

हम यह करार भी करते हैं कि मध्यस्थों का सर्वसम्मत विनिश्चय अंतिम होगा और दोनों पक्षकारों पर प्रावधान होगा और यदि दोनों मध्यस्थों के बीच कोई मतभेद ही, तो उसका निपटारा अधिनिर्णयक (अम्पायर) द्वारा किया जाएगा, जिसकी नियुक्ति संयुक्त रूप से मध्यस्थों द्वारा की

जाएगी। दोनों मध्यस्थों के बीच किसी प्रकार का मतभेद होने पर अधि-निर्णयक का निर्णय अन्तिम होगा और दोनों पक्षकारों पर बाध्यकार होगा।

मध्यस्थ प्रपना पंचाट तीन मास की कालावधि इतने और समय के भीतर जो उनके द्वारा आवश्यक समझा जाए और पारस्परिक करार द्वारा बढ़ाया जाए, बेंगे।

यह करार भी किया जाता है कि इन मांगों में से किसी एक के संबंध मध्यस्थों द्वारा दिए गए लाभ, यदि कोई हों, 31-12-1980 तक लागू रहेंगे और उक्त सारीख अवधि 31-12-1980 तक संबंधित मांग/मांगों को उठाया नहीं जाएगा/फिर शुरू नहीं किया जाएगा।

पक्षकारों के हस्ताक्षर

नियोक्ताओं का प्रतिनिधित्व करने वाले कर्मकारों का प्रतिनिधित्व करने वाले
ह०/- (एम० दत्ता) निवेशक (खनन ह०/- (बी० चौधरी) महामंत्री
(क्रियाएं)

ह०/- (बी० पी० जयकुमार) उप- ह०/- (मेरू लाल) वरिष्ठ उपा-
महा प्रबन्धक (कामिक) उपपपुर ध्यक्ष

24-11-1978

साक्षी

1. ह०/- (हेमराज) मंत्री, जाबार 2. ह०/- (मोती लाल) प्रबन्धक
माहन्स मजदूर संघ (घाई भार एंड डब्ल्यू) हिन्दु-
स्तान जिंक लि० एव० ओ०

प्रतिनिधि :

1. सचिव, भारत सरकार, श्रम और रोजगार मंत्रालय, श्रम शक्ति भवन, रफी मार्ग, नई दिल्ली।
2. मुख्य श्रमायुक्त (केन्द्रीय), भारत सरकार, नई दिल्ली।
3. सहायक क्षेत्रीय श्रमायुक्त (केन्द्रीय), भारत सरकार, कोटा।
4. क्षेत्रीय श्रमायुक्त (केन्द्रीय) अजमेर

[स० एल-29013/3/78-डो 3-सी]

भार० कुजीबापदम, उप सचिव

ORDER

S.O. 177.—Whereas an industrial dispute exists between the employers in relation to the Management of Hindustan Zinc Limited, Udaipur and their workmen represented by The Zawar Mines Mazdoor Sangh;

And whereas, the said employers and workmen have, by a written agreement in pursuance of the provisions of the sub-section (1) of section 10-A of the Industrial Disputes Act, 1947, agreed to refer the said dispute to arbitration by the persons specified therein and a copy of the said agreement has been made available to the Central Government;

Now, therefore, in pursuance of sub-section (3) of section 10-A of the said Act, the Central Government hereby publishes said Agreement.

AGREEMENT

(Under Section 10-A of the Industrial Disputes Act, 1947)

BETWEEN

Representing employer.—(1) Shri M. Datta, Director (Mining Operations), Hindustan Zinc Ltd., 6-New Fatehpura, Udaipur.

(2) Shri V. P. Jayakumar, Dy. General Manager (Pers.) Hindustan Zinc Ltd., 6-New Fatehpura, Udaipur.

Representing workmen.—Shri B. Choudhury, General Secretary, Zawar Mines Mazdoor Sangh, P.O. Zawar, Udaipur.

Shri Bhedulal, Sr. Vice President, Zawar Mines Mazdoor Sangh, P.O. Zawar, Udaipur.

It is hereby agreed between Hindustan Zinc Limited, Udaipur (hereinafter referred to as the "Management") and The

Zawar Mines Mazdoor Sangh (hereinafter referred to as the "Sangh") to refer the following disputes to the arbitration of Shri J. G. Kumaramangalam, Managing Director, Bird & Company, Calcutta and Shri Kanti Mehta, President, Indian National Mine Workers Federation, Elgin Road, Calcutta-20.

1. Specific matters under dispute.—(i) Whether the demand of the Sangh that the workers who have not been provided with quarters by the Company and residing in non-municipal areas should be paid House Rent Allowance equivalent to 7-1/2 per cent of basic pay subject to a minimum of Rs. 30 per month, is justified? If not, to what other relief workmen concerned are entitled to? And from what date?

(ii) Whether the demand of the Sangh that the workers residing in municipal areas like Udaipur City should be paid 15 per cent of basic pay as House Rent Allowance and the workers residing in cities like Delhi, Calcutta etc. should be paid 30 per cent of basic pay as House Rent Allowance over and above the City Compensatory Allowance, is justified and proper? If not, to what other relief the workmen concerned are entitled to? And from what date?

(iii) Whether the demand of the Sangh that the families of workmen who die before retirement should be paid special Gratuity (death benefit) is justified and proper? If so, what should be the scheme and if not, to what other relief the families of the workmen concerned are entitled to?

2. Total number of workmen employed in the aforesaid Unit of Hindustan Zinc Limited. .. Approx. 3600

3. Estimated number of workmen affected or likely to be affected. .. All concerned workmen.

We further agree that the unanimous decision of the Arbitrators shall be final and binding on both the parties and in case, there is any difference of opinion between the two Arbitrators, the same shall be resolved by an Umpire who shall be appointed by the Arbitrators, jointly. In the event of any difference of opinion between the two Arbitrators, the decision of the Umpire shall be final and binding on both the parties.

The Arbitrators shall make their Award within a period of three months or within such further time as is extended by them, if found necessary and by mutual agreement between the parties.

It is further agreed that the benefits, if any, awarded by the Arbitrators in respect of any of the demands, shall remain in force upto 31-12-1980 and the concerned demand/demands will not be raised/reopened till the said date, i.e. 31-12-1980.

Signature of the parties :

Representing employer :

1. Sd/- (M. Datta)
Director (Mining Operations)

2. Sd/- (V. P. Jayakumar)
Dy. General Manager (Pers.)

Udaipur,
24-11-1978.

Representing workmen :

Sd/- (B. Choudhary)
General Secretary

Sd/- (Bheru Lal)
Sr. Vice President

Witnesses :

Sd/- (Hemraj)
Secretary, ZMMs.

Sd/- (Motilal),
Manager (IR & W), HZI, HO.

cc : to :

- (1) The Secretary, to the Government of India, Ministry of Labour & Employment, Shram Shakti Bhavan, Rafi Marg, New Delhi.

- (2) The Chief Labour Commissioner (Central), Government of India, New Delhi.
- (3) The Asstt. Regl. Labour Commissioner (Central), Government of India, Kota.
- (4) The RLC(C), Ajmer.

[No.L-29013/3/78-D.III.B]
R. KUNJITHAPADAM, Dy. Secy.

नई दिल्ली 26 दिसम्बर, 1978

का०आ० 178.—गर्वन्मैट प्रैस, संघ राज्य क्षेत्र, चण्डीगढ़ (जिसे इसमें उसके पश्चात् प्रैस कहा गया है) ने कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 17 की उपधारा (क) के अधीन कर्मचारी कुटुम्ब पेंशन स्कीम, 1971 से छूट के लिए आवेदन किया है :

श्रीर केन्द्रीय सरकार की राय में उक्त प्रैस के कर्मचारियों पर लागू केन्द्रीय सरकार कुटुम्ब पेंशन स्कीम, 1964 के अधीन कुटुम्ब पेंशन के रूप में ऐसे कर्मचारियों को प्राप्य फायदे उन फायदे से कम नहीं है जो उक्त अधिनियम और कर्मचारी पेंशन स्कीम, 1971 के अधीन उमी प्रकार के किसी अन्य स्थापन के कर्मचारियों के लिए उपबन्धित किए गए हैं ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (क) द्वारा प्रवस शक्तियों का प्रयोग करते हुए और यहां नीचे विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त प्रैस को कर्मचारी कुटुम्ब पेंशन स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है ;

- (1) उक्त प्रैस छूट के पश्चात् किसी समय केन्द्रीय सरकार की इजाजत के बिना कुटुम्ब पेंशन के रूप में प्राप्य फायदों की मात्रा को घटा नहीं सकेगा ।
- (2) नियोजक ऐसे लेखा रखेंगे, ऐसे विवरण प्रस्तुत करेंगे और निरीक्षण के लिए ऐसी सुविधाएं देंगे जिसका निर्देश केन्द्रीय सरकार समय-समय पर दे ।
- (3) उक्त प्रैस की कुटुम्ब पेंशन स्कीम के संचालन के सारे व्यय जिसमें लेखा रखना, लेखा और विवरण प्रस्तुत करना लेखाओं का अन्तरण भी आता है, नियोजक को वहन करना होगा ।
- (4) नियोजक उक्त प्रैस की कुटुम्ब पेंशन स्कीम के नियमों की एक प्रति जैसे कि केन्द्रीय सरकार द्वारा अनुमोदित हो सारे संशोधन सहित, यदि कोई हो, उक्त प्रैस के सूचना पट पर, उसकी मुख्य विशेषताओं के कर्मचारियों के बहुसंख्यक की समझ में आने वाली भाषा में अनुवाद के साथ, प्रदर्शित करेगा ।
- (5) केन्द्रीय भविष्य निधि आयुक्त के पूर्व अनुमोदन के बिना उक्त प्रैस की कुटुम्ब पेंशन स्कीम के नियमों में कोई संशोधन नहीं किया जाएगा । जहां संशोधन से कर्मचारियों के हित वह प्रतिकूल प्रभाव पड़ने की संभावना हो वहां केन्द्रीय भविष्य निधि आयुक्त अपना अनुमोदन देने से पहले कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा ।

[सं० एल-35014/9/78-एफ०पो०जी
हंसराज छाहब्रा, उपसचिव

New Delhi, the 26th December, 1978

S.O. 178.—Whereas the Government Press, Union Territory, Chandigarh (hereinafter referred to as said Press) has applied for exemption, from Employees' Family Pension Scheme, 1971 under sub-section (1A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952);

And whereas, in the opinion of the Central Government the benefits in the nature of family pension under the Central Government Family Pension Scheme, 1964 applicable to the employees of the said Press are not less favourable to such employees than the benefits provided under the said Act, and the Employees' Family Pension Scheme, 1971 to employees in any other establishment of a similar nature;

Now, therefore in exercise of the powers conferred by sub-section (1A) of section 17 of the said Act, and subject to the conditions specified hereunder, the Central Government hereby exempts the said Press from the operation of all the provisions of the Employees' Family Pension Scheme.

Conditions :

- (i) The said Press shall not, at any time after exemption, without the leave of the Central Government, reduce the quantum of benefits in the nature of Family Pension.
- (ii) The employer shall maintain such accounts, submit such returns and provide for such facility for inspection as the Central Government may from time to time direct.
- (iii) All expenses involved in the administration of the family pension scheme of the said Press including maintenance of accounts submission of accounts and return transfer of accounts, shall be borne by the employer.
- (iv) The employer shall display on the notice board of the said Press a copy of the rules incorporating therein all amendments, if any of the family pension scheme of the said Press as approved by the Central Government alongwith a translation of the salient features thereof in a language understood by the majority of the employees.
- (v) No amendment of the rules, of the family pension scheme of the said Press shall be made without the previous approval of the Central Provident Fund Commissioner. Where any amendment is likely to affect adversely the said interests of the employees, the Central Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[File No. S. 35014/9/78-FPG]

HANS RAJ CHHABRA, Dy. Secy.

New Delhi, the 23rd December, 1978

S.O. 179.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen which was received by the Central Government on the 22nd December, 1978.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 12 of 1977

PARTIES :

Employers in relation to the Calcutta Port Trust.

AND

Their Workman.

PRESENT :

Sri Justice S. K. Mukherjee... Presiding Officer.

APPEARANCE :

On behalf of Employers... Sri A. K. Ghosh, Legal Adviser with Sri D. K. Mukherjee, Labour Officer.

On behalf of Workmen... Sri D. L. Sen Gupta, Senior Advocate.

STATE : West Bengal

INDUSTRY : Port & Dock

AWARD

The Government of India, Ministry of Labour, by their Order No. L-32012 (9)/76-D. IV (A) dated 18th May, 1977, referred an industrial dispute existing between the employers in relation to the Calcutta Port Trust and their workmen, to this tribunal, for adjudication. The reference is in the following terms :

"Whether the management in relation to the Calcutta Port Trust are justified in terminating the services of Sarvasbri Dinendra Kumar Das and Santosh Kumar Chatterjee, Security Guards, with effect from 5th January, 1976 ? If not, to what relief are the concerned workmen entitled ?"

2. The concerned workmen Dinendra Kumar Das and Santosh Kumar Chatterjee, Security Guards, in the employment of the Calcutta Port Trust in the Second Hooghly Crossing Project represented by the Calcutta Port Shramik Union, have challenged an order of termination of service dated 5th January, 1976 which reads as follows :

"Please note that your services under the Calcutta Port Trust shall stand terminated with effect from the afternoon of 5th January, 1976 and you are offered a month's pay in lieu, in terms of Clause I of Further Conditions of Service."

3. Clause I of the Further Conditions of Service of the Calcutta Port Trust provides :

"The services of any officer or servant may be terminated with a month's notice or a month's pay in lieu of notice in any case. For the purpose of this and the following conditions a 'month' shall mean the period which runs from any date in any month of the English Calendar to the afternoon of the day proceeding the same date of the following month of the Calendar. Provided that the periods from the 30th or 31st January to the afternoon of the 28th February or in a leap year the 29th February shall each be taken as a 'month'."

4. The letters of appointment by which the services of each of the concerned workmen were engaged by the Port Trust contained the following clause :

"2. It must be distinctly understood that your service will automatically come to an end on completion of the specific job viz. expiration of the specific time for which you may be engaged, viz. 2nd Hooghly Crossing."

The Port Trust have stated clearly that the services of the concerned workmen were not terminated on the ground of completion of the project work but under clause I of Further Conditions of service to which reference has already been made.

5. On the eve of the final hearing of the reference the Opposite party, by a petition raised an objection to any order being made on the reference on the ground that the concerned workmen are not workmen within the meaning of Section 2(s) of the Industrial Disputes Act, 1947. In paragraph 2 of this petition it is stated, "It has already been averred in the written statement of the petitioner herein that the two security guards were posted at the Princep Ghat Street Yard of the Trustees to keep watch over valuable properties of the Trustees. The said averment with regard to the nature of duty of the said two security guards having not been controverted in the rejoinder of the union, the said two security guards were not employed for clerical or technical or manual or supervisory work and as such they do not fall within the ambit of the term 'workmen' within the meaning of Section 2 (s) of the Industrial Disputes Act, 1947." It is not in dispute that neither of the concerned workmen draws wages exceeding Rs. 500 per month or exercises any administrative or managerial function. It is also not in dispute that neither of them comes within the exceptions enumerated in Sub-clauses (i), (ii) and (iii) of Section 2(s). The work of the concerned workmen was manual or supervisory or partly manual and partly supervisory. Assuming that the work they were doing was purely supervisory, they come within the definition of 'workman' having regard to the fact that neither of them draws wages exceeding Rs. 500 per month. In that view of the matter, I have no hesitation in holding that they are workmen in the contemplation of the Industrial Disputes Act and the Tribunal has, therefore, ample jurisdiction to adjudicate upon the dispute raised in this reference.

6. On the question of validity of the termination of services of the concerned workmen, reference may be made to the relevant provisions of the Statute. Sub-clauses (oo) of Section 2 of the Industrial Dispute Act, 1947 defines 'Retre-

nchment' as termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

- (a) voluntary retirement of the workman : or
- (b) retirement of the workman on reaching the age of superannuation of the contract of employment between the employer and the workman concerned contains a stipulation in that behalf ; or
- (c) termination of the service of a workman on the ground of continued ill-health.

7. Section 25F of the Industrial Disputes Act, 1947 provides as follows :

Conditions precedent to retrenchment of workmen :

"No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice :

Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination of service :

- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of service or any part thereof in excess of six months ; and
- (c) notice in the prescribed manner is served on the appropriate Government.

It is common case that the concerned workmen have been in continuous service at the relevant time for not less than one year.

8. In the State Bank of India v N. Sundaramoney, 1976 (1) LLJ 478, the expression 'for any reason whatsoever' was given a connotation of very wide amplitude by the Supreme Court. Krishna Iyer, J, delivering the judgment of the Court said that the expression is very wide, almost admitting of no exception. In paragraph 10 of the judgment, the learned judge observed, "A break-down of S. 2 (oo) unmistakably expands the semantics of retrenchment. 'Termination... for any reason whatsoever' are the key words. Whatever the reason, every termination spells retrenchment. So the sole question—has the employee's service been terminated?... A termination takes place where a term expires either by the active step of the master or the running out of the stipulated term. Termination embraces not merely the act of termination by the employer but the fact of termination, however, produced." In Hindustan Steel Ltd. v Presiding Officer, Labour Court, Orissa & Ors., AIR 1977 SC, 31, it was held that termination of service by the running out of time stipulated in the contract of service amounts to retrenchment. Non-compliance with Section 25F (b) renders the retrenchment illegal. The decision in the State Bank of India v N. Sundaramoney was applied in two recent judgments of a learned single Judge of the Calcutta High Court, Moheswar Thakur v. Union of India and Others 1978 LLJ (II) 377 and B.M. Gupta v State of West of West Bengal and Ors. 1978 C.H.N. 857.

9. In paragraph 13 of their written statement, the Port Trust stated that the Trustees lost trust and confidence reposed in the concerned workmen to keep watch over the trustees' materials. In paragraph 18 they stated that by their casual, careless and negligent discharged of duties the concerned workmen proved themselves to be unworthy of such trust and as such unfit to hold the posts of Security Guards and that it was not considered advisable to draw up proceedings against them under the Trust's Discipline and Appeal Rules, 1964 and action was taken under the 'Further Conditions of Service'.

10. Having regard to the current of decisions, it must be held that termination on the ground that the employer lost confidence in the employee is also a reason within the meaning of the expression 'for any reason whatsoever'.

11. The termination of service of the concerned workmen must be regarded as 'retrenchment' under Sub-clause (oo) of Section 2 of the Industrial Disputes Act. As each of them had been in continuous service for not less than one year, the retrenchment of either of them was not valid as they had not been paid, at the time of retrenchment, compensation to which they were entitled under Sub-section (b) of Section 25F of the Industrial Disputes Act. In the present case, admittedly no retrenchment compensation has been paid to either of the workmen. The retrenchment, or in other words, the termination of service in their cases was, therefore, invalid having regard to Section 25F of the Industrial Disputes Act. The fact that their service was terminated under clause I of Further Conditions of Services makes no difference. There has to be compliance with the terms of the contract of employment as also with the relative provisions of the Statute. In the facts of the present case, the employer not having complied with the provisions of Section 25F by reason of failure to pay retrenchment compensation, the retrenchment that is to say, the termination of service is invalid and the concerned workmen are entitled to an order of reinstatement with back wages with effect from the date of termination of service. If they had been paid a month's wages in lieu of notice the amount so paid to them will have to be deducted from back wages.

12. In the view I have taken, I answer the reference in the following terms : The management in relation to the Calcutta Port Trust are not justified in terminating the services of Svs. Dinendra Kumar Das and Santosh Kumar Chatterjee, Security Guards, with effect from 5th January, 1976. They are entitled to be reinstated. They are also entitled to back wages with effect from 5th January, 1976 less any payment, if made, in lieu of notice.

S. K. MUKHERJEA, Presiding Officer.

Dated, Calcutta, The 14th December, 1978.

[No. L-32012(9)/76-D(IV)A]

NAND LAL, Desk Officer.

नई दिल्ली, 23 दिसम्बर, 1978

का० आ० 180.—कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा, 13 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए केन्द्रीय सरकार, नीचे दी गई सारणी के स्तम्भ (1) में विनिर्दिष्ट अधिकारियों को उक्त अधिनियम और उसके अधीन विरचित किसी स्कीम, कुटुम्ब पेंशन स्कीम और स्कीम के प्रयोजनों के लिए केन्द्रीय सरकार के या उनके नियंत्रणाधीन किसी स्थापन के संबंध में या किसी रेल कम्पनी, महापत्तन, खान या तेल क्षेत्र या नियंत्रित उद्योग से संबंधित किसी स्थापन के संबंध में या किसी ऐसे स्थापन के संबंध में जिसके एक से अधिक राज्य में विभाग या शाखाएं हैं, उपरोक्त सारणी के स्तम्भ (2) में तत्संबंधी प्रविष्टि में विनिर्दिष्ट क्षेत्रों के लिए निरीक्षक नियुक्त करती है।

सारणी

| अधिकारी | क्षेत्र |
|---|--|
| 1. महाराष्ट्र में प्रादेशिक भविष्य निधि प्रायुक्त के कार्यालय और उप-प्रादेशिक कार्यालयों के सभी उप प्रादेशिक भविष्य निधि प्रायुक्त। | सम्पूर्ण महाराष्ट्र राज्य और गोवा संघ राज्य क्षेत्र, वसण बीच, बावरा और नागर हवेली। |
| 2. पश्चिमी बंगाल में प्रादेशिक भविष्य निधि प्रायुक्त के कार्यालय और उप प्रादेशिक कार्यालयों के सभी उपप्रादेशिक भविष्य निधि प्रायुक्त। | सम्पूर्ण पश्चिमी बंगाल और मन्नान और निकोबार द्वीप समूह का संघ राज्य क्षेत्र। |

| अधिकारी | क्षेत्र |
|---|--|
| 3. प्रादेशिक भविष्य निधि प्रायुक्त, मद्रास के कार्यालय और उप प्रादेशिक कार्यालय तमिलनाडु के सभी उप प्रादेशिक भविष्य निधि प्रायुक्त। | सम्पूर्ण तमिलनाडु राज्य और पाण्डिचेरी संघ राज्य क्षेत्र के पाण्डिचेरी और करैकल क्षेत्र। |
| 4. उप प्रादेशिक कार्यालय, आन्ध्र प्रदेश के सभी उप प्रादेशिक भविष्य निधि प्रायुक्त। | सम्पूर्ण आन्ध्र प्रदेश राज्य और पाण्डिचेरी संघ राज्य क्षेत्र का भवन क्षेत्र। |
| 5. उप प्रादेशिक कार्यालय, उत्तर प्रदेश के सभी उप प्रादेशिक भविष्य निधि प्रायुक्त। | सम्पूर्ण उत्तर प्रदेश राज्य। |
| 6. उप प्रादेशिक कार्यालय, बिहार के सभी उप प्रादेशिक भविष्य निधि प्रायुक्त। | सम्पूर्ण बिहार राज्य। |
| 7. उप प्रादेशिक कार्यालय, केरल में, उप प्रादेशिक भविष्य निधि प्रायुक्त | सम्पूर्ण केरल राज्य, लक्षद्वीप संघ राज्य क्षेत्र और पाण्डिचेरी संघ राज्य क्षेत्र का महे क्षेत्र। |

[सं० ए० 12016(5)/78-पी०एफ०१]

हंस राज छाबड़ा उप सचिव

New Delhi, the 23rd December, 1978

S.O. 180.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) the Central Government hereby appoints the Officers specified in column (1) of the Table below to be Inspectors for the areas specified in the corresponding entry in column (2) thereof for the purposes of the said Act, and the Scheme, the Family Pension Scheme and the Insurance Scheme, framed thereunder in relation to any establishment belonging to, or under the control of the Central Government or in relation to any establishment connected with a railway company, a major port, a mine or any oilfield or a controlled industry or in relation to an establishment having departments or branches in more than one State.

TABLE

| Officers | Area |
|---|--|
| 1. All the Deputy Regional Provident Fund Commissioners in the Office of the Regional Provident Fund Commissioner, and Sub-Regional Office(s) in Maharashtra. | Whole of the State of Maharashtra and Goa area of the Union territory of Goa, Daman and Diu, Dadra and Nagar Haveli. |
| 2. All the Deputy Regional Provident Fund Commissioner in the office of the Regional Provident Fund Commissioner, and Sub-Regional Office(s) in West Bengal. | Whole of the State of West Bengal and Union Territory of the Andaman and Nicobar Islands. |
| 3. All the Deputy Regional Provident Fund Commissioners in the Office of the Regional Provident Fund Commissioner, Madras and Sub-Regional Office(s) in Tamil Nadu. | Whole of the State of Tamil Nadu and the Pondicherry and Karaikal areas of the Union territory of Pondicherry. |

| Officers | Area |
|---|---|
| 4. All the Deputy Regional Provident Fund Commissioners in the Sub-Regional Office (s) in Andhra Pradesh. | Whole of the State of Andhra Pradesh and the Yaman Area of Union territory of Pondicherry. |
| 5. The Deputy Regional Provident Fund Commissioners in the Sub-Regional Office (s) in Uttar Pradesh. | Whole of the State of U.P. |
| 6. The Deputy Regional Provident Fund Commissioner in the Sub-Regional Office (s) in Bihar. | Whole of the State of Bihar. |
| 7. The Deputy Regional Provident Fund Commissioner in the Sub-Regional Office(s) in Kerala. | Whole of the State of Kerala, Union territory of Lakshadweep and Mahe area of the Union Territory of Pondicherry. |

[No. A. 12016(5)/78-PF1]
HANS RAJ CHHABRA, Dy. Secy.

S.O. 181.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi, in the industrial dispute between the employers in relation to the management of the Beas Sutlej Link Project and their workman, which was received by the Central Government on the 20th December, 1978.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, NEW DELHI

I.D. No. 185 of 1977

In re :

Shri Gulzara Singh C/o Shri Dhani Ram, Q. No. S-0/
1371, B.S.L. Project, Sundernagar Township.-
Petitioner

Versus

The Chief Engineer, Beas Sutlej Link Project, Sundernagar, Himachal Pradesh.

PRESENT :

Shri Dhani Ram—Representative of the workman.
Shri O. P. Gupta—Representative of the Management.

AWARD

The Central Government as appropriate Government made a reference vide its order No. L-42012(29)/76-D. II(B) dated the 3rd August, 1977 u/s 10 of the I.D. Act, 1947 in the following terms :

'Whether the action of the management of the Beas Sutlej Link Project in retrenching Shri Gulzara Singh, Ex. Token No. 1941-AJ from service with effect from 31st January, 1976 justified? If not, to what relief is the workman entitled?'

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties and the

workman filed a statement of claims. Thereafter written statement was filed on behalf of the Management and on the pleadings of the parties the following issues were framed for trial :

1. To what category of workman did Shri Gulzara Singh belong in the B. S. L. Project?

2. As in order of reference.

3. Thereafter the evidence of the parties was recorded and arguments were heard. After going through the file and after giving my considered thought to the matter I have come to the following findings in this matter.

4. From the perusal of statement of claim of the workman I find that contention of the workman is that he was appointed a Supervisor w.e.f. 19-8-1972 in Beas Sutlej Link Project and had joined Power Plant Concreting Division Slapper in Office and Material Trade and was awarded six annual increments at outset in view of his experience at Bhakra; that the Executive Engineer, Power Plant Concreting Division Slapper of his own accord changed his trade classification to Reinforcement Supervisor without getting the workman's consent u/s 9-A of I.D. Act, 1947; that he was issued a discharged notice in September, 1975 vide letter No. S.E. Admn. No. 3046-50 dated 16-9-1975 but the said notice was withdrawn vide No. S.E. Admn. No. 9962-72/P-1 discharge notice dated 14-10-1975; that a fresh discharge notice was served under S.E. Letter No. 5891-95 dated 30-12-1975 against which the workman submitted a representation but to no effect; that thereupon he took up the matter u/s 2-A and finally this reference was made.

5. The contention of the Management is that Shri Gulzara Singh was appointed in B.S.L. Project, Sundernagar w.e.f. 19-8-1972 as Supervisor in the trade of reinforcement; that the trade of Shri Gulzara Singh was never changed and there was no question of violation of Section 9-A of the I.D. Act, 1947; that the notice of discharge was valid as it was in accordance with the seniority of the workman and it is now submitted that the workman was not entitled to any relief.

6. In order to prove their respective allegations the workman has examined himself as W.W. 1 and has also produced Ex. W-1 to Ex. W-5. As against this the Management examined two witnesses M.W. 1 Shri Shiv Charan Dass Sharma and M.W. 2 Shri Uttam Sarup Puri. It is in the light of this evidence that this case has to be examined.

7. Issue No. 1 :

In order to prove its contention that Shri Gulzara Singh was appointed in the Reinforcement Division the Management has produced on record two documents namely Ex. M-1 and Ex. M-2. Both these documents have been admitted to be correct by the representative of the workman as endorsement thereupon would show. Ex. M-1 is the appointment card while Ex. M-2 is the appointment letter in respect of Shri Gulzara Singh, workman. From the Perusal of the appointment card Ex. M-1 it is clear that it was issued from the Farm Work Reinforcement Division, Sundernagar, Beas Sutlej Link Project. A perusal of this card further makes it clear that the pay of this workman was chargeable to the Farm Work of collecting and handling reinforcement. Similarly letter Ex. M-2 also shows that the workman was appointed Supervisor and was directed to report to Farm Work and Reinforcement Division. In the face of these two documents corroborated by the oral testimony of M.W. 1, Shiv Charan Dass Sharma and M.W. 2, Uttam Sarup Puri, it is established beyond doubt that the workman was employed in the Reinforcement Division and therefore it follows that his trade was Reinforcement and not Office and Material as claimed by the workman. The workman has not been able to show that he had been appointed in Office and Material Division. It has been urged on behalf of the workman that Ex. W-1 which is a certificate issued by the Nangal Workshop Division in favour of the workman shows that prior to his employment with Beas Sutlej Link Project this workman was employed as supervisor Office and Material in Nangal Workshop Division but this would not in any manner go to establish that this workman was employed by Beas Sutlej Link Project as Supervisor in Office and Material Division rather in the face of documents Ex. M-1 and Ex. M-2, certificate Ex. W-1 can carry no conviction. The arguments of Shri Dhani Ram,

the representative of the workman that Ex. W-2 was initially issued to the workman intimating that his services will be terminated due to part completion of work w.e.f. 25th October, 1975 and this was withdrawn because of representation of the workman would not in any manner help the workman rather from Ex. W-4 which is the discharge notice dated 30-12-1975 we would find that he was described as Supervisor, Reinforcement even in this letter. No amount of oral or written representation of the workman would help the workman so as to enable this court to raise a conclusion that the trade of the workman was Office and Material and not reinforcement. Oral statement of the workman to the contrary also cannot carry any weight in the face of documents Ex. M-1 and Ex. M-2 and in view thereof I hold that the trade of the workman at the time of his appointment was Supervisor, Reinforcement and decide this issue accordingly.

8. Issue No. 2 :

It is urged on behalf of the workman that his discharge was invalid in as much as the Management had illegally without due notice altered and changed his trade from Office and Material to Reinforcement and therefore his discharge was not valid. I have already held under Issue No. 1 that the trade at the time of appointment of Shri Gulzara Singh, workman was Reinforcement and not Office and Material and therefore it cannot be said that there was any violation of Section 9-A of I.D. Act or that there was a change of service condition of the workman and hence it cannot be said that the discharge of the workman was illegal on that account.

9. The receipt of the requisite notice Ex. W-4 is not denied by the workman. This notice was in pursuance of partial closure on part completion of work in the Reinforcement Division of the Beas Sutlej Link Project and it is in due compliance of requirements of law and therefore it cannot be said that the discharge of the workman was not valid or according to law. The workman has admitted in his cross examination that documents Ex. M-1 and Ex. M-2 were correct and in the face thereof it would not be now open to the workman to say that his trade was Office and Material and not Reinforcement. It is not contended on behalf of the workman that the principle of last come first go has been violated in his discharge. It is also not submitted that any person junior to him has been retained in service while he has been discharged. No malafide are attributed by him to the Management in respect of his discharge. The only contention of the workman was that his trade had been wrongly changed and I have already held that no element of change of trade of the workman is involved in the instant case. In view of my discussions above, I hold that the discharge of the workman is proper and in accordance with law and decide this issue against the workman.

In view of my discussions and findings above, I hold that the action of the Management of the Beas Sutlej Link Project, Sundernagar in retrenching Shri Gulzara Singh, Ex. Token No. 1941-AJ from service w.e.f. 31-1-1976 was justified and that the workman was not entitled to any relief in this matter, and the reference is answered accordingly.

Further Awarded :

The requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

MAHESH CHANDRA, Presiding Officer

Dated : the 22nd November, 1978

1st Agrahayana, 1900.

[No. L. 42012(29)/76-D. II(B)]
HARBANS BAHADUR, Desk Officer

New Delhi, the 4th January, 1979

S.O. 182.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Grindlays Bank Ltd., Kanpur and their workmen over terminating the Arbitration Award dated 28-3-1970 regarding payment of half yearly refreshment allowance to its workmen at Kanpur, which was received by the Central Government on 20-12-1978.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT.
NEW DELHI.

I. D. No. 18 of 1978.

In re :

The Secretary, U. P. Bank Employees Union, 36/1,
Kailash Mandir, Kanpur. ... Petitioner

VERSUS

The Manager,
Grindlays Bank Limited.
The Mall,
Kanpur. ... Respondent

PRESENT :

Shri R. C. Pathak—for the workmen.

Shri S. S. Sethi—for the Management.

AWARD

The Central Government as appropriate Government vide its order No. L-12011/74/77-D. II. A dated the 13th/17th February, 1978 made a reference u/s 10 of the I. D. Act, 1947 in the following terms to this Tribunal:

"Whether the action of management of Grindlays Bank Limited, Kanpur, in terminating the Arbitration Award dated 28-3-1970 regarding payment of half yearly refreshment allowance to its workmen at Kanpur is justified. If not, to what relief the workmen are entitled."

2. After the reference was received notices were sent to the respective parties and a statement of claim was filed on behalf of the U. P. Bank Employees' Union, Kanpur. Thereafter written statement was filed on behalf of Grindlays Bank, Kanpur. On the pleadings of the parties following issues were framed vide my order dated 12th October 1978 :

1. Whether there does not exist any industrial dispute as such worth the reference ? Its effect.
2. Whether the dispute has been properly espoused ?
3. As in order of reference.

The case was thereafter fixed for evidence of the workmen for 28-11-1978. On 28-11-1978 Shri R. C. Pathak, Advocate, the representative of the workmen stated that the evidence of the workmen was not present and that he had informed the union about the case but he had no instructions and he had told the union to take back the file from him. It was further stated by him that he no longer represented the Union. Nonetheless he requested for an adjournment. Thereafter it was ordered that his statement be recorded but he refused to sign the statement, all the same maintaining that he no instructions in this case. In these circumstances ex-parte proceedings were ordered against the Union and the workmen as no properly authorised representative of the Union or the workmen was present to prosecute the case for the Union and the workmen. Thereafter statement of Shri S. S. Sethi, the representative of the Bank was recorded. It was stated by him that the issue No. 2 in this case is that the matter has not been espoused and the onus thereof is on the Union. In as much as the Union has not been represented by anybody he does not want to lead

any evidence except that he stated on oath that no espousal has been done to the workmen in this case to the knowledge of the Bank by the union and the Bank is not aware of the representative capacity of the union. It was further stated by him that this union was not even recognised union of the Bank. It is in these circumstances that this case has come up for disposal before me. I have gone through the pleadings of the parties and have given my considered thought to the matter before me and I have come to the conclusion that this being a collective dispute it essentially need espousal but there is nothing on record to suggest even remotely that the dispute has been properly espoused by any Union and in the face thereof I am constrained to hold that the dispute is not properly espoused. It does not partake as an Industrial dispute and in view thereof this reference would be invalid and consequently cannot be gone into. It is categorically stated by Shri S. S. Sethi in his statement on oath that the U. P. Bank Employees' Union is not recognised union of the Bank and that the Bank was not aware of the representative capacity of the union. In these circumstances it cannot be said that the U. P. Bank Employees' Union had any right to espouse the matter. Once it is held that the U. P. Bank Employees' Union has no right to espouse the matter and further that it has not been established that the matter has been validly espoused. I hold that this reference is invalid and it is awarded accordingly. Parties however are left to bear their own costs.

FURTHER AWARDED

The requisite number of copies may be sent to the appropriate Govt. for necessary action at their end.

[No. L-12011/74/77-D. II. A.]

MAHESH CHANDRA, Presiding Officer,

S.O. 183.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Central Bank of India and their workmen over denial of payment of officiating allowance as clerk in terms of para 9.11 (b) of Bipartite settlement allowance dated 19-10-1966 to Shri O. P. Sharma, Daftry, which was received by the Central Government on 20-12-1978.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

I. D. No. 78 of 1978.

In re :

The Chief Manager,
Central Bank of India,
Regional Office,
Sector 17,
Chandigarh.

AND

The General Secretary,
Central Bank of India Employees Union,
Punjab (Reg.), 28 Green Field,
Model Gram,
Ludhiana.

PRESENT :

Shri H. C. Khittar,—for the Bank.

Shri S. M. Vikal,—for the Union.

AWARD

The Central Government as appropriate Government vide its order No L-12011/30/78-D. II. A. dated the 17th/23rd August, 1978 made a reference to this Tribunal u/s. 10 of the I. D. Act, in the following terms :

"Whether the action of the management of Central Bank of India denying payment of officiating allowance as clerk in terms of para 9.11 (b) of Bipartite Settlement dated 19-10-1966 to Shri O. P. Sharma, Daftry at Gharaunda Branch of the Central Bank for the period he performed clerical duties is justified? If not, to what relief is the workman entitled and from what date?"

2. On receipt of the reference it was ordered to be registered and usual notices were sent to the parties and the parties appeared and filed a settlement Ex. S/1 with the

request that a no dispute award be made in this reference. Statement of Shri S. M. Vikal and Shri H. C. Khittar, the representatives of the workman and the Management respectively were recorded to this effect. Accordingly a no dispute award is hereby made in this reference. Parties are left to bear their own costs.

FURTHER AWARDED

The requisite number of copies may be sent to the appropriate Govt. for necessary action at their end.

[No. L-12011/30/78-D. II. A.]

MAHESH CHANDRA, Presiding Officer,

S.O. 184.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of State Bank of India, Jaipur and their workman Shri Shanker Lal, Messenger over termination of his services w.e.f. 19-3-1976, which was received by the Central Government on 20-12-1978.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI.

I. D. No. 209 of 1977.

In re :

Shri Shankar Lal, Qr. No. 237, Raja Park, Sindhi Colony, Jaipur (Rajasthan). Workman

VERSUS

The Branch Manager, State Bank of India, Industrial Estate, Jaipur. Management.

AWARD

The Central Government as appropriate Government made a reference vide order No. L-12012/156/76-D. II. A. dated the 16th December, 1977 u/s. 10-A of the Industrial Dispute, Act, 1947 in the following terms :

"Whether the management of State Bank of India, Jaipur was justified in terminating the services of Shri Shankar Lal, Messenger, w.e.f. 19-3-1976. If not, to what relief is he entitled?"

2. On receipt of this reference usual notices were sent to the parties. A statement of claim was filed on behalf of the workman and before any written statement could be filed, the representative of the Management has appeared today before me and has filed Ex. R/1 which evidences that the Bank has reinstated the workman and he had been posted at Kherli Branch and that the Bank has further agreed to treat Shri Shanker Lal as confirmed employee in the Bank w.e.f. 26-1-1978. It is further agreed between the parties that the workman will be entitled to all the benefits as accruing to other regular employees of the Bank as per the service rules. None has appeared today on behalf of the workman. Statement of Shri S. Mishra, the authorised representative of the Bank has been recorded. In these circumstances this has come up for final determination before me. Considering Ex. R/1 and considering the statement of Shri S. Mishra I find that the parties have amicably settled the matter and in view thereof a no dispute award is accordingly made in this matter. Parties are however left to bear their own costs.

Dated : the 28th November, 1978.

FURTHER AWARDED

The requisite number of copies may be sent to the appropriate Govt. for necessary action at their end.

[No. L-12012/156/76-D. II. A.]

MAHESH CHANDRA, Presiding Officer.

S.O. 185.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workman Shri Gangabax Singh over dismissal of his services, which was received by the Central Government on 20-12-78.

BEFORE SHRI MAHESH CHANDRA, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, NEW DELHI
G.I. D. No. 94 of 1977

In re :

The Secretary, U. P. Bank Employees' Union Kanpur,
C/o Bank of Baroda, Birhana Road, Kanpur (Reg.
Ganga Bux Singh) — Petitioner

Versus

The Regional Manager, Bank of Baroda, 4, Park Road,
Lucknow — Respondent

AWARD

The Central Government as appropriate Government vide its order No. L. 12012/64/74/LR/III dated the 15th November, 1974 referred an Industrial Dispute u/s 10 of the I.D. Act, 1947 to Industrial Tribunal, Kanpur in the following terms :

"Whether the action of the management of the Bank of Baroda in dismissing Shri Gangabux Singh, Watchman of Rai Bareilly Branch of the Bank w.e.f. the 17th November, 1974 is justified? If not, to what relief is he entitled?

2. The said reference was registered by the Industrial Tribunal, Kanpur and statement of claims was filed by the workman. The case was then transferred to this Tribunal and was registered as I.D. No. 93/1977. A written statement was filed by the Bank in the matter and a replication also was got filed. Thereafter following issues were framed for trial :

1. Whether there had been made any demand?
2. Whether the workman had abandoned the service?
3. Whether the service of the workman had been terminated as alleged or the workman had been dismissed?
4. Whether the workman is a workman within the meaning of the term under I. D. Act?
5. As in the order of reference?
6. To what relief is the workman entitled in this case?
7. Whether the reference is barred?

3. The case was then fixed for evidence of the workman to 21st January, 1978. On 21st January, 1978 evidence of the workman was not present and the case was adjourned to 18th February, 1978. But on 19th February, 1978 again evidence could not be recorded as the parties wanted the case to be heard at Lucknow and accordingly the case was adjourned to 28th April, 1978 on which date again an adjournment was requested by a telegraph by the workman. So the case was adjourned to 16th June, 1978. For 16th June, 1978 as well adjournment was requested and the case was adjourned to 6th July, 1978. Thereafter finally the case was adjourned for evidence of the workman and Management to 15th November, 1978. On 15th November, 1978 none was present for the workman or Association so ex-parte proceedings were ordered against the workman and the Union and the evidence of the Management was recorded ex-parte. The evidence of the Management consists of statements of M.W. 1, K. N. Pandey and M.W. 2 S. S. Mathur apart from documents Ex. M/1 to Ex. M/10. I have gone through the file and have heard the representative of the Bank and after giving my considered thought to the matter before me I have come to the following findings :

4. The contention of the workman as disclosed from the statement of claim is that he was employed by the Bank as Watchman on probation on 15th February, 1971 at Rai Bareilly Branch and in as much as he was a reservist soldier he was called upon by the Army Reservist Training Centre for four weeks periodical reservist training commencing from 1-10-1971 at Fatehgarh for which purpose he was relieved by the Bank on 27-9-1971 but thereafter he was dismissed

from the Army w.e.f. 18-3-1972 by a summary court martial and when he reported before the Bank authorities he was not permitted to join the service as watchman and rather was informed vide letter No. Staff/3/519 dated 16-6-72 that Management has treated him as having lost his lien on the job as he had been dismissed from the Army and had abandoned the Bank's service w.e.f. 17-11-71 and therefore it is contended by the workman that termination of his services was illegal and in violation of law and settlement on the question.

5. The Bank has contested this matter inter-alia on the ground that the Bank had not terminated the services and rather the workman had abandoned the service and in as much as the workman had not even reported to the Army authorities after requisite training on 17-11-71 and rather deserted the Army for which he was summarily dismissed by a Court Martial therefore the Bank had treated him as having abandoned the service of the Bank. Even otherwise it is submitted on behalf of the Bank that the workman had been absent from 17-11-71 till April, 1972 and therefore the Bank was justified in treating him as having abandoned the service; that Gangabux Singh was not a workman and the reference was not a competent; that no demand was made by Gangabux Singh on the Management; that the reference is bad in view of the provisions of the law; that the workman was not entitled to any relief.

6. The Bank has examined Shri K. N. Pandey as M.W. 1 and he was stated in his examination in chief :

"I have been in the service of the Bank since 1949. For the period October, 70 to October, 72 I was posted as Agent of Rai Bareilly Branch of the Bank. I had appointed Shri Gangabux Singh as Armed Guard in the Bank at Rai Bareilly in February, 1971. He was a reservist of the Indian Army and as such when Indo-Pak war started in 1971 he was directed to report for training at Fatehgarh by the Regional Centre. He made a written request for being relieved therefor. Ex. M/1 is the photostat copy thereof. I have brought the original. Thereupon I ordered his release vide letter copy Ex. M/2. This letter was delivered to him and it bears his signatures which are encircled. I have brought the original. Thereafter for continuous period he was not with the Bank and did not attend to the work either. Then we received a letter Ex. M-3 from the Army Headquarters. This was requisitioning the services of Gangabux Singh as a reservist for active duty. He continued to remain off the duty in pursuance of letter Ex. M-2 but did not report for duty even after succession of his liability. On 23-2-72 a letter was written by the Bank to the Army Office, Commandant, Rajput Regional Centre, Fatehgarh, copy of the letter is Ex. M-4. In pursuance thereof we received a reply, copy Ex. M-5. It was not until April, 1972 that he ever came in the Bank and thereupon I asked him to produce a release certificate from the Army authorities. Since I knew that he had deserted the Army through letter Ex. M-5. On enquiry he had informed me that he was away to Bangla Desh as an Army man. He could not mention any place of posting or movement. He never produced any discharge certificate. The Bank did not terminate his services rather he never reported for duty either at the Army base or at the Bank after he was relieved on 27-9-71. No demand notice was received either from the workman or from the union in this matter."

Similarly M.W. 2, Shri S. S. Mathur has stated in this examination in chief :

"I was posted as Agent in the Rai Bareilly Branch from October, 72 till July, 77. I took over from M.W. 1. No demand was received either from the workman or from the union in respect of the question in the matter by me during my stay in the Bank."

The statements of M.W. 1 and M.W. 2 are supported and corroborated by documents Ex. M-1 to Ex. M-10. It is in the light of this evidence that the case has to be considered.

7. Issue No. 1.—There is no evidence on the file to suggest that any demand had been made by the workman or even by the U.P. Bank Employees' Union demanding the reinstatement of the workman. M.W. 2 has specifically stated that no demand was received either from the workman or from

the union in respect of the question in the matter by him during his stay in the Bank from October, 1972 till July, 1977 at Rai Bareilly Branch. In the face of this statement by M.W. 2 it cannot be said that any demand was made by the workman or his union in this case and as such issue No. 1 is decided against the workman and in favour of the Management.

8. Issue Nos. 2 and 3.—This workman was appointed vide Ex. M-8 as Watchman. Ex. M-8 is the letter of appointment and is dated 13-2-1971. The Bank has produced Ex. M-1 which is photostat copy of the application dated 25-9-1971 by Shri Gangabux Singh, workman in which it is stated by him that he has to go to Fatehgarh for training and therefore he may be relieved on 28-9-1971. In pursuance of Ex. M-1 letter Ex. M-2 was issued on 27-9-1971 according to which the Bank had agreed to relieve him for four weeks periodical reservist training from 1-10-1971 at Fatehgarh. It is in pursuance of application Ex. M-1 and letter Ex. M-2 that the workman had been relieved of his duties as Watchman by the Bank. Thereafter Bank appears to have received letter Ex. M-3 from the Rajput Regimental Centre Fatehgarh. Letter Ex. M-3 is dated 3/18th November, 1971 and it shows that Shri Gangabux Singh was a reservist of the Army and had been called upon for service with the Army and his services were requisitioned to meet defence requirements in accordance with Indian Reserve Forces (Amendment) Act, 1958. However in as much as the Bank had not heard about the workman for a considerable period a letter Ex. M-4 was addressed by the Bank on 23-2-72 to the Commandant, Rajput Regimental Centre, Fateh Garh. UP enquiring if Shri Gangabux Singh had been relieved from the Army or not and a reply Ex. M-5 was received intimating the Bank that said Gangabux Singh had deserted the Army w.e.f. 17-11-1971. Ex. M-5 is dated 3rd March, 1972. Along there a discharge certificate was received copy whereof is Ex. M-6, which shows that after Gangabux Singh had deserted the Army he was dismissed from Army service w.e.f. 18-3-72 by a summary court martial. Gangabux Singh never reported since 17-11-71, the date he deserted the Army for duty either before the Army authorities or before the Bank which means that he had remained altogether absent from 17-11-71 till April, 1972 and it was first time in April, 1972 that he came to the Bank office in Rai Bareilly and he was asked to produce release certificate from the authorities. M. W. 1 Shri K. N. Pandey has stated that at that time on enquiry Shri Gangabux Singh had informed the witness that he was away to Bangla Desh as an Army man and he could not mention any place of posting or movement and could not produce any discharge certificate and it was in these circumstances that the Bank had treated him as having abandoned the service and in pursuance thereof vide letter copy Ex. M-7 dated the 16th June, 1972 Gangabux Singh was intimated that the Bank had treated him as having abandoned his job w.e.f. 17-11-1971, the date when he deserted the Army. When the entire matter is considered in the perspective of the statement of M.W. 1 Shri K. N. Pandey and documents Ex. M-1 to Ex. M-7, it is established beyond doubt that certainly Gangabux Singh had abandoned the service of the Bank and accordingly issue No. 2 is decided in favour of the Management and against the workman and in view of the fact that I have held that Shri Gangabux Singh had abandoned the service it cannot be said his services were terminated by the Bank. It certainly was open to the Bank to treat that Gangabux Singh had abandoned the service since it had been intimated by the appropriate authorities that Gangabux Singh had deserted the Army as from 17th November, 1971 and had also been dismissed from the Army by a Court Martial and therefore issue No. 3 is also decided against the workman.

9. Issue No. 4.—According to the letter Ex. M-8 which is the appointment letter of Gangabux Singh, it cannot be said that he was not a workman. He was working as a Watchman on 17-11-71, the date from which it was treated by the Bank that Gangabux Singh had abandoned the service. In fact no arguments have been addressed on this issue by the representative of the Bank. I decide this issue in favour of the workman.

10. Issue No. 7.—My attention upon this issue has been drawn to the provisions of the Indian Reserve Forces Act of 1888 and it has been submitted by the representative of the Management that in accordance with Section 7 of the said Act the question of reinstatement of Gangabux Singh by his original employer, the Bank could not have been a subject matter of reference u/s 10 of the I. D. Act and rather this question

could have been considered by a different Tribunal or authority prescribed in this behalf by rules made under the Indian Reserve Forces Act, 1888. Certainly I do find that Section 7(1) does create such a right. However it does not by direct words or by necessary implication exclude the remedy available to the workman under the I. D. Act. Section 7 is not exclusive of remedy under the I.D. Act, 1947 rather can be treated to be as an additional remedy which might be available to the workman in the instant case and therefore it cannot be said that the reference as such is barred.

11. Issue No. 5.—I have already held under issue Nos. 2 and 3 that the Bank Management had not terminated the services of Gangabux Singh, Watchman. The Bank never dismissed Gangabux Singh from its services rather my conclusion is that it was Gangabux Singh who abandoned his services and in the face thereof it cannot be said that Bank had dismissed Shri Gangabux Singh from 17th November, 1971. The Bank was certainly within its rights to treat the matter as closed when Gangabux Singh did not report for duty on 17-11-1971 after he deserted the Army. He not only kept quiet until April, 1972 but further also he never cared to intimate the Bank authorities of his whereabouts so much so that it was not until the receipt of a reply Ex. M-5 to the letter and enquiry by the Bank from the Commandant vide letter Ex. M-4 that the Bank came to know that the workman had deserted the Army and had also not reported for duty before the Bank authorities. Thus considering these circumstances it cannot be said that the Bank had dismissed Shri Gangabux Singh. However the letter dated the 16th June, 1972 copy Ex. M-7 does go to show that Bank had treated the workman as having abandoned his service and in consequence the Bank had terminated the lien of the workman on the post of Watchman. This order does not involve an element of termination or dismissal and accordingly it cannot be said that the action of the Management of Bank of Baroda in treating Gangabux Singh, Watchman of Rai Bareilly Branch of the Bank as having abandoned his services w.e.f. 17-11-1971 is not justified and I hold accordingly.

12. Issue No. 6.—In view of my discussions and findings above, I hold that the workman is not entitled to any relief. Even otherwise it would not have been possible for me to hold that he was entitled to any reinstatement. He was recruited and appointed as a Watchman and by his conduct he had exhibited that he was hardly a person who could be entrusted with the duties of a Watchman and for that reason he was not entitled to any reinstatement. However this is a hypothetical question since I have held that the order whereby the Bank had treated Gangabux Singh having abandoned his services as valid order.

13. In view of my discussions and findings above upon issues above I hold that the action of the Management of Bank of Baroda in treating Shri Gangabux Singh as having abandoned his services w.e.f. 17-11-1971 is justified and that Gangabux Singh is not entitled to any relief and the reference is answered accordingly.

MAHESH CHANDRA, Presiding Officer

Dated : the 21st November, 1978.

FURTHER AWARDS :

Requisite number of copies of this award may be sent to the appropriate Government for necessary action.

[No. L-12012/64/74/LR. III/D. II. A.]
S. K. MUKERJEE, Under Secy.

S.O. 186.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Krishna Mines, Ramlannatti, P.O. Tirunelveli, Tamil Nadu and their workmen, which was received by the Central Government on the 21st December, 1978.

BEFORE THIRU K. SELVARATNAM, B.A., B.L.,
INDUSTRIAL TRIBUNAL, MADRAS

(Constituted by the Central Government)

Saturday, the 2nd day of December, 1978

Industrial Dispute No. 31 of 1978.

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(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the Management of Krishna Mines, Tirunelveli).

BETWEEN

The workmen represented by.—The President, Nellai Suranga Thozhilalar Sangam, 18, Parasakthi Buildings, Tirunelveli-627 001, Tamil Nadu.

AND

The Proprietor, Krishna Mines, Post Box No. 8, No. 5, Kailasapuram North Street, Tirunelveli-627 001 Tamil Nadu.

REFERENCE :

Order No. L-29012/5/78-D. IIB, 31-5-1978 of the Ministry of Labour, Government of India.

This dispute coming on this day for hearing upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing of Thiru P. Subramanian, Joint Secretary, Madras State I.N.T.U.C. appearing for the worker and of Thiruvalargal M. R. Narayanaswami and S. Jayaraman, Advocates for the Management, this Tribunal made the following.

AWARD

This is an Industrial Dispute under section 10(1)(d) of the Industrial Disputes Act, 1947 between the Management of Krishna Mines, Tirunelveli and their workman in the matter of dismissal of a worker by name Thiru G. Veerapandi.

(2) The following is the reference :

Whether the action of the Management of Krishna Mines, Ramjanpatti, P.O. Tirunelveli, District Tamil Nadu in dismissing Shri G. Veerapandi, Quarry Mazdoor employed in their Limestone Quarry with effect from 15th July, 1977 is justified? If not, to what relief the said workman is entitled?

(3) The Union filed a claim statement on behalf of the worker, wherein it is averred as follows : The worker was dismissed for the alleged misconduct with effect from 15th July, 1977. As he happened to be the active worker for the Union and member of the Executive Committee of the Union, the Management victimised him. The Management had always grouse against the worker as he was responsible for the formation of the Union. The order of dismissal was illegal and he should be reinstated with back wages.

(4) The Management filed a counter statement denying the allegations and contended that he was dismissed for misconduct after holding due domestic enquiry and the domestic enquiry was fairly conducted and he participated in the enquiry. The Enquiry Officer found him guilty of the charges and the Management accepted the report of the Enquiry Officer and dismissed him from service. Hence he is not entitled to any relief.

(5) When the matter came up for hearing at Tirunelveli Camp on 2nd December, 1978 it was reported that the worker was dead. In these circumstances, the Management agreed to pay three months' wages to the legal heirs of the deceased Thiru G. Veerapandi. The Union had no objection to that course.

(6) Hence an Award is passed directing the Management to pay three months' wages to the legal heirs of the worker Thiru G. Veerapandi in addition to other benefits that the deceased will be entitled to in law.

Dated, this 2nd day of December, 1978.

K. SELVARATNAM, Presiding Officer.

[No. L-29012/5/78-D. IIB]

S.O. 187.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central

Government Industrial Tribunal, Bhubaneswar in the industrial dispute between the employers in relation to the management of Rourkela Steel Plant of Hindustan Steel Ltd., and their workmen, which was received by the Central Government on the 19th December, 1978.

BEFORE SHRI M. V. GANGARAJU, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
BHUBANESWAR

Industrial Dispute Case No. 9 (Central) of 1975

Dated, Bhubaneswar, the 14th December, 1978.

BETWEEN :

The employers in relation to the management of Rourkela Steel Plant of Hindustan Steel Limited, Post Office Rourkela—First Party.

AND

Their workman—Second party.

APPEARANCE :

Shri B. B. Rath, Advocate—Fore the first party.

Shri A. C. Mohanty, Advocate—for the second party.

AWARD

In exercise of the powers conferred by Section 7-A and Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Government of India in the Ministry of Labour, referred the following dispute to this Tribunal for adjudication in their Order No. L-26012/13/75-D-IV(B), dated 13th November, 1975 :—

"Whether the action of the management of Rourkela Steel Plant of Hindustan Steel Limited, Post Office Rourkela, in stopping three increments of Shri Gopal Singh, Assistant Store Keeper, Barsua Iron Ores Mines in 1973 with cumulative effect for alleged negligence of duty was justified? If not, to what relief is the concerned workman entitled.

2. Subsequently, in exercise of the powers conferred by Section 7-A and Sub-section (1) of Section 33-D of the Industrial Disputes Act, 1947, the Central Government have transferred the above proceedings to me for disposal according to law in their Order No. S-11025(1)/78-D-IV(B), dated 6th May, 1978.

3. The first-party management in their written-statement stated that the second-party was working as an Assistant Store Keeper under the first-party and was in charge of various materials stored in the Stores. The second-party gave a report on 16th July, 1973 that on that date at about 10.15 A.M., contractors in two parties consisting of four to five men in each party came for inspection of materials which were meant for disposal. As they came earlier on two to three occasions for a similar purposes he allowed them to inspect the materials. While they were inspecting the materials, somebody lifted forty-three injectors from the Stores which were kept in the racks. This was discovered by the second party at about 11.30 A.M. when he went to the Stores for giving materials to one of the workmen. Accordingly, he submitted his report and he was charge-sheeted by the management. A domestic enquiry was conducted in which every reasonable opportunity was given to the second-party and as the Enquiry Officer found that the second-party was guilty, the aforesaid punishment was awarded.

4. It is admitted by the second-party workman in his written-statement that he was working as an Assistant Store Keeper and on that date he had to allow the contractors to inspect the materials which were meant for disposal. He takes the plea that the enquiry against him was not properly conducted and the findings of the Enquiry Officer were perverse and as he was a member of the trade-union, he was taken to task by the management. So prayer has been made to pass necessary orders favourable to the second-party.

5. On behalf of the management, two witnesses were examined and on behalf of the workman, the workman himself and another witness were examined.

6. The M.W.1 had stated that he was the Enquiry Officer with respect to the enquiry against the second-party and he proved the relevant file of the enquiry including the charge-sheet against the second-party and the true copy of the explanation submitted by him. He says that he gave all reasonable opportunities to the second-party at the time of conducting of the enquiry.

7. In his cross-examination it has been stated by him that he did not verify as to how many passes were issued to outside persons to enter the Stores on 16-7-1973 and that a case of theft was reported at the Police Station by the security staff on the basis of the report made by Gopal Singh. He denies that another employee, namely, one Baladeb Sahu, was charged in a departmental proceeding for having allowed the ten outside persons into the Stores on that day. It is denied by him that the second-party had requested him to examine P. K. Dutta, Head Store Keeper, in the domestic enquiry and that he refused to examine him. The witness No. 2 for the management had proved the Exts. 8 series, the letters of the Union. These letters were produced to show that the second-party was not an office-bearer or Executive Committee member of the Union. He denies a suggestion that deliberately these papers were not put to W.W.1 while he was in the dock. The W.W.1 was examined to show that the second party was an active member of the United Mines Mazdoor Union.

8. W.W.2 is the second-party himself and he proves the spot-map, Ext. C, in order to show that when he was showing the materials to the parties at the time of inspection, it was not possible to watch the lifting of materials from the rack. He speaks about the discovery of theft by him when he was about to issue materials to the departmental people after the persons who came for inspection left. It is stated by him that in spite of his repeated requests, no spot checking was made by the Enquiry Officer and when he tried to give the spot-map, it was not accepted. It is his contention that he gave the letter dated 16-7-1973, which is part of the proceeding file, as being told by P. K. Dutta. It was a letter which was given immediately after the occurrence. In that letter it has been clearly stated that on that day two parties of contractors consisting of four to five men each came in a car for inspection of materials. All of them entered the Store IOC. 88 and he had to escort two of them to interior rack to show the spares which were to be disposed of and in the mean time the people near the racks close to the gate were moving hither and thither. This he tried to correct by subsequent explanation given in the proceeding by stating that he could not furnish the statement correctly in that letter as he was in a puzzled state of mind. It is further stated by him in his deposition that the management did not take any action against the security staff who were present on the day of the occurrence. He claims to be an executive member of the United Mines Mazdoor Union and so, the management took such an action against him. In his cross-examination he had to admit that he did not give anything in writing to the Enquiry Officer to examine Dutta and for checking the spot by the Enquiry Officer. He admits the letters of the Union. Exts. 8 series, which do not contain his name. He also admits that the Ext. B, the Minutes Book of their Union, does not contain his name to show that he was a member of the Executive Committee of the Union.

9. On a perusal of the findings in the domestic enquiry it shows that the Enquiry Officer did not accept the evidence of the management witness Nos. 1 and 3 regarding the admission of more than ten persons into the Stores by the second-party. The management witness No. 2 came to the Stores after noticing the missing items in the Stores. The sole piece of evidence on which the Enquiry Officer relied is the letter written by the second-party dated 16-7-1973 in which it is stated that all of them entered the Stores and he had to escort two of them to the interior rack to show the spares. There are clear instructions by the management as per the statement of M.W.1 in the domestic enquiry that at the time of inspection of materials, at least two persons from the management side should be present and that not more than two persons from a party should be allowed to the Stores for inspection of the materials. In his explanation in the domestic enquiry the second-party had stated that on that day he did not allow more than two persons of the party for inspection of the materials as a precautionary measure. As already observed, this con-

tradicts the earlier letter written by the second-party immediately after the occurrence. His contention is that it was given as per the instructions of one Dutta who was not examined either in the domestic enquiry or before this Tribunal. Regarding the non-examination of Dutta, it is admitted by him that he did not give anything in writing to the Enquiry Officer for his examination.

10. In spite of these facts, the onus is on the management to clearly establish that due to the negligence of the workman, such an incident took place. Even though the workman did not put in any petition in writing that he gave the letter dated 16-7-1973 on the instructions by some Dutta, the management should have examined him to negative that contention and to prove that the workman had voluntarily written that letter. Further, the management do not explain as to why they did not produce the admission cards to show as to who was responsible for admitting ten persons inside. It is also in evidence of M.W.1 in the domestic enquiry that there were clear instructions that at least two persons from the management side should be present at the time of inspection of materials. It is also admitted by the said witness in his cross-examination that the second-party requested for deputing a Helper or Khalasi, but nobody could be spared as they were engaged otherwise and there were absentees. So it cannot be said that it is only due to the negligence of the second-party that such an incident took place. A duty was also cast on the management to provide all the facilities to the second-party so that the inspection by the outsiders of the materials could be carried out properly. It is also in doubt whether the second-party had admitted only two persons as asserted by him in his letter or he admitted 10 persons because the management did not examine Dutta. The Enquiry Officer did not at all consider the evidence of the witness No. 2 for the defence regarding the request by the second-party for deputing a Khalasi. It was stated by that witness that one Kanhu Patra refused to work with the second-party at that time. It is not known what action the management had taken against him. As submitted on behalf of the second-party, the negligence of the second-party should be proved beyond all reasonable doubt. For this he relied on the case reported in 1978 L.L.J. August Part page 83, but it has not been supplied to me. Hence I feel that the domestic enquiry was not properly conducted and the punishment awarded against the second-party is disproportionate to the alleged negligence. The management is also to be blamed for the occurrence as they did not provide all facilities to the second-party for carrying out his work. It may be that the second-party is not an active member of the Executive Committee of the Union, yet the management is to prove beyond reasonable doubt that the second-party was negligent. In this context, it is not relevant to find out whether the second-party was a member of the Executive Committee of the Union or not.

11. Hence, in my opinion, the action taken against the second-party by the management is not justified and accordingly, I find that he is entitled to get back all the three increments which were withheld, from their due dates.

12. The Award is passed accordingly.

M. V. GANGARAJU, Presiding Officer

[No. L-26012/13/75-D. III.B.]

A. K. ROY, Under Secy.

बाबत

नई दिल्ली, 30 दिसम्बर, 1978

का० प्रा० 188.—मैसर्स ईस्टर्न कोलफील्ड्स लिमिटेड की न्यू सतग्राम कोयला खान के प्रबंधकों ने सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, जिनका प्रतिनिधित्व कोलियरी मजदूर सभा (ए० आई० टी० यू० सी) और कोयला मजदूर कांग्रेस (एच० एम० एम०), घासनसोल करती है, एक औद्योगिक विवाद विद्यमान है ;

और यतः उक्त नियोजकों और कर्मचारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10-क की उप धारा (1)

के उपबंधों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद की उसमें वर्णित व्यक्ति के माध्यस्थता के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थता करार की एक प्रति केन्द्रीय सरकार को भेजी गयी है ;

अतः अब औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10-क की उपधारा (3) के उपबंधों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थता करार की, जो उसे 18 दिसम्बर, 1978 को मिला था, एतद्वारा प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10-क के अधीन)
पक्षकारों के नाम :

मैसर्स ईस्टर्न कोलफील्ड्स लिमिटेड (1) श्री एस० एन० मिश्रा के सतग्राम उपक्षेत्र के अंतर्गत सतग्राम (आर०) कोयला खान का न्यू सतग्राम एकक डाकघर, देव चन्द नगर (बर्दवान) के निरीक्षक का प्रतिनिधित्व करने वाले

(2) श्री ए० एन० सिंह उप-क्षेत्रीय प्रबंधक मैसर्स ईस्टर्न कोलफील्ड्स का सतग्राम उपक्षेत्र, डाकघर रामीगंज (बर्दवान)

(3) श्री एस० के० सत्यान, वरिष्ठ कार्मिक अधिकारी, सतग्राम उप-क्षेत्र,

कर्मकारों का प्रतिनिधित्व करने वाले :—

(1) श्री मुनील सेन, संगठन सचिव कोलियरी मजदूर सभा (ए० आई० टी० यू० सी०) पर्वत हॉटल, जी० टी० रोड आसनसोल

(2) श्री केशो सिंह मुख्य संगठन सचिव, कोयला मजदूर कांग्रेस (एच० एम० एम०) गरीरी मेन्शन, जी० टी० रोड आसनसोल

पक्षकारों के बीच निम्नलिखित औद्योगिक विवाद की श्री जी० जी० रामाचन्द्र क्षेत्रीय श्रमायुक्त (केन्द्रीय) आसनसोल को माध्यस्थता के लिए निर्देशित करने का करार किया गया है :—

(1) विवादग्रस्त विशेष मामले :—

(i). "क्या मैसर्स ईस्टर्न कोलफील्ड्स लिमिटेड की सतग्राम (आर०) कोलियरी की न्यू सतग्राम यूनिट के प्रबन्ध तंत्र की निम्नलिखित 21 भूमिगत मजदूरों और 2 विस्फोटक कैरियरों को, जो सभी वर्ग-2 के हैं तथा जिन्हें महा प्रबंधक सतग्राम को दिए गए उनके संयुक्त आर्षेदन की ध्यान में रखते हुए वर्ग-4 में क्लिफ्टों के रूप में नियमित किया गया है, कार्य स्थलों पर विस्फोटक ले जाने के लिए कहने की कार्यवाही न्यायोचित है? यदि नहीं, तो वे किम अनुतोष के हकदार हैं?"—

- | | | |
|-----------------|-----------------|------------------|
| 1. हरी ठाकुर | 4. जगदीश अहीर | 7. जगु भार |
| 2. धनेश्वर अहीर | 5. रामदेव हाजरा | 8. शिव नाथ महातो |
| 3. रंगीले महातो | 6. अजर्फी हाजरा | 9. बिरगो अहीर |

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|----------------|---------------------|-----------------|
| 10. मोला शॉ | 15. बन्देश्वर चौधरी | 20. जूल्फी दुबे |
| 11. सुरज महातो | 16. गोपाल महातो | 21. नासिर मिया |
| 12. भारत सिंह | 17. सालन अहीर | 22. मनोहर अहीर |
| 13. भागीरथ रौप | 18. नालदेव हाजरा | 23. देशरथ यादव |
| 14. जीतन सिंह | 19. भिखारी हाजरा | |

(ii) "क्या मैसर्स ईस्टर्न कोलफील्ड्स लिमिटेड की सतग्राम (आर०) कोलियरी डाकघर देवचन्द नगर (बर्दवान) की न्यू सतग्राम यूनिट के प्रबन्ध तंत्र की निम्नलिखित 8 क्लिफ्टों को उच्च वर्ग का अनि-रिक्त पारिश्रमिक दिए बिना अपने कार्यस्थल पर विस्फोटक ले जाने के लिए कहने की कार्यवाही न्यायोचित है? यदि नहीं, तो वे किम अनुतोष के हकदार होंगे?" :—

- | | | | |
|----------------|---------------|-----------------|--------------------|
| 1. राजाक मियां | 2. मधु कौहार | 3. मोहम्मद हदीर | 4. गंगा राउत |
| 5. लक्ष्मण शॉ | 6. ठाकुर दुबे | 7. कामिम मियां | 8. राम तपेसर पांडे |

(2) विवाद के पक्षकारों का विवरण जिसमें अंतर्बलित स्थापन या उपक्रम का नाम और पता भी सम्मिलित है :—

1. उप-क्षेत्रीय प्रबंधक, सतग्राम उप-क्षेत्र, मैसर्स ईस्टर्न कोलफील्ड्स लिमिटेड सतग्राम क्षेत्र, डाकघर रामीगंज, जिला बर्दवान,
2. संगठन सचिव, कोलियरी मजदूर सभा (ए० आई० टी० यू० सी०) पर्वत हॉटल, जी० टी० रोड आसनसोल (बर्दवान),
3. मुख्य संगठन सचिव कोयला मजदूर कांग्रेस (एच० एम० एम०) गरीरी मेन्शन, जी० टी० रोड आसनसोल (बर्दवान)।

(3) प्रभावित उपक्रम में नियोजित कर्मकारों की कुल संख्या 1500

(4) विवाद द्वारा प्रभावित या संभावित: प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या

31

माध्यस्थ अपना पंचाट भारत के राजपत्र में इस करार के प्रकाशन की तारीख से 120 दिनों की अवधि या उतने समय के भीतर जिसे हमारे बीच लिखित पारस्परिक करार द्वारा बढ़ाया जाए, देगे।

ह० (मुनील सेन) ह० (एस० एन० मिश्रा)
ता० 24-10-78 ता० 24-10-78

ह० (केशो सिंह) ह० (ए० एन० सिंह)
कर्मकारों का प्रतिनिधित्व करने वाले ता० 24-10-78
ह० (एस० के० सत्यान) ता० 24-10-78
नियोजकों के प्रतिनिधित्व करने वाले

साक्षी : 1. ह० (एस० राय) ता० 24-10-78
2. ह० (ए० के० बनर्जी) ता० 24-10-78

मैं विवादक के रूप में कार्य करने के लिए अपनी सहमति देता हूँ।

ह० (जी० जी० रामाचन्द्र)
क्षेत्रीय श्रमायुक्त (केन्द्रीय), आसनसोल
तारीख 24 दिसम्बर, 1978

[संख्या एस-19013(8)/78-जी० 4 (बी)]
बुधेश्वर नाथ, जेसक अधिकारी

ORDER

New Delhi, the 30th December, 1978

S.O. 188.—Whereas an industrial dispute exists between the management of New Satgram Colliery of M/s. Eastern Coalfields Limited and their workmen represented by the Colliery Mazdoor Sabha (AITUC) and Koyla Mazdoor Congress (HMS), Asansol;

And Whereas the said management and their workmen have by a written agreement in pursuance of the provisions of sub-section(1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration of the person mentioned therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, Therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the said arbitration agreement, which was received by the Central Government on 18th December, 1978.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Name of the Parties :

Representing the employer of (1) Shri S. N. Mishra.,
New Satgram Unit of Sat- Dy. Chief Personnel Officer,
gram (R) Colliery, under Satgram Area of M/s. E.
Satgram Sub-Area of Sat- C. Ltd., P.O. Devchand-
gram Area of M/s. Eastern nagar (Burdwan).

(2) Shri A. N. Singh,
Sub-Area Manager,
Satgram Sub-Area of M/s.
E.C. Ltd.,
P.O. Raniganj (Burdwan).

(3) Shri S. K. Sanyal,
Senior Personnel Officer,
Satgram Sub-Area.

Representing the workmen (1) Shri Sunil Sen,
Orgg. Secretary
Colliery Mazdoor Sabha
(AITUC), Parvat Hotel,
G.T. Rd., Asansol.

(2) Shri Kesho Singh,
Chief Orgg. Secretary,
Koyla Mazdoor Congress
(HMS), Gori Mansion,
G.T. Rd., Asansol.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri D.V. Ramachandran, Regional Labour Commissioner (Central) Asansol:—

(1) Specific matters in dispute :

(i) "Whether the management of New Satgram Unit of Satgram (R) Colliery of M/s. Eastern Coalfields Ltd. is justified in requiring the under-mentioned 21 underground mazdoors and 2 Explosive Carriers, all of Category-II, regularised as Drillers in Category-IV in view

of their Joint Application to the General Manager, Satgram, with effect from 11-11-76 to carry explosives to their places of work? If not, to what relief are they entitled ?"—

- | | |
|---------------------|--------------------------|
| 1. Hari Thakur | 13. Bhagirath Routh |
| 2. Dhaneswar Ahir | 14. Jitan Singh |
| 3. Rangile Mahato | 15. Chandeswar Choudhury |
| 4. Jagai Ahir | 16. Gopal Mahato |
| 5. Ramdeo Hazra | 17. Lalan Ahir |
| 6. Asari Hazra | 18. Laldeo Hazra |
| 7. Jagu Bhar | 19. Bhikhari Hazra. |
| 8. Shew Nath Mahato | 20. Julfi Dubey |
| 9. Birgo Ahir | 21. Nasir Mia |
| 10. Bhoja Shaw | 22. Manohar Ahir |
| 11. Suraj Mahato | 23. Desrath Yadav. |
| 12. Bharat Singh | |

"(ii) Whether the management of New Satgram Unit of Satgram (R) Colliery, P.O. Devchandnagar (Burdwan) of M/s. E.C. Ltd., is justified in requiring the undermentioned 8 Drillers to carry explosives to their place of work without any extra remuneration of higher category & If not, to what relief are they entitled to ?"—

- | | |
|-----------------|-----------------------|
| 1. Rajak Mia | 5. Lakhan Shaw |
| 2. Madhoo Kohar | 6. Tahakur Dubey |
| 3. Md. Hadish | 7. Kasim Mia |
| 4. Ganga Rout | 8. Ram Tapesar Pandey |

(2) Details of the parties to the dispute including the name and address of the establishment or undertaking involved :

- The Sub-Area Manager, Satgram Sub-Area, M/s. Eastern Coalfields Ltd., Satgram Area, P.O. Raniganj, Distt. Burdwan.
- The Organising Secretary, Colliery Mazdoor Sabha (AITUC), Parvat Hotel, G.T. Road, Asansol (Burdwan).
- The Chief Orgg. Secretary, Koyla Mazdoor Congress (HMS) Gori Mansion, G.T. Road, Asansol (Burdwan).

(3) Total No. of workmen employed in the undertaking be effected : 1500

(4) Estimated No. of workmen effected or likely to be effected: 31

The Arbitrator shall make his award within a period of one hundred and twenty days or within such further time as is

extended by mutual agreement between us in writing, from the date of publication of this Agreement in the Gazette of the Govt. of India.

(REPRESENTING THE WORKMEN)

Sd/- (SUNIL SEN) Dtd. 24-10-1978

Sd/- (KESHO SINGH)

(REPRESENTING THE EMPLOYER)

Sd/- (S.N. MISHRA) Dt. 24-10-78

Sd/- (A.N. SINGH) Dt. 24-10-78

Sd/- (S.K. SANNYAL) Dt. 24-10-78

Witnesses : 1. Sd/- (S. ROY) Dt. 24-10-78

2. Sd/- (A.K. BANERJEE) Dt. 24-10-78

I hereby give my consent to act as an Arbitrator.

Sd/- (D. V. RAMACHANDRAN)

Regional Labour Commissioner (C) Asan-ol

Dtd. 24th October, 1978.

[No. L-19013(8)/78-D.IV. (B)]
BHUPENDRA NATH, Desk Officer

(रोजगार और प्रशिक्षण महानिदेशालय)

नई दिल्ली, 8 दिसम्बर, 1978

का० आ० 189.—केन्द्रीय सरकार, राजभाषा (संघ के प्रशासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उपनियम (4) के अनुसरण में रोजगार और प्रशिक्षण महानिदेशालय, नई दिल्ली को, जिसके कर्मकारी बृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है।

[संख्या : डी०जी०ई०टी० 11017/6/77-हिन्दी]

डी० वी० राम चण्ड्रान, अवर सचिव

(DGE&T)

New Delhi, the 8th December, 1978

S.O. 189.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the Directorate General of Employment and Training, New Delhi, the staff whereof have acquired the working knowledge of Hindi.

[No. DGET-11017/6/77-Hindi]
D. D. CHAUFLA, Under Secy.